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**1915 BERRYMAN STREET**  
**Landmarks Initiation Application #LMIN2020-003**  
**Prepared: December 28, 2020**

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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  

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S T A F F R E P O R T

FOR COMMISSION ACTION  
AUGUST 6, 2020

## 1915 Berryman Street – The Payson House

Landmark application #LMIN2020-0003 for the consideration of City Landmark or Structure of Merit designation status for a residential property– APN 006-2449-013-00

### I. Application Basics

#### A. Land Use Designations:

- Zoning: R-2A, Restricted Multi-Family Residential District

#### B. CEQA Determination:

Exempt from environmental review pursuant to CEQA Guidelines Section 15061

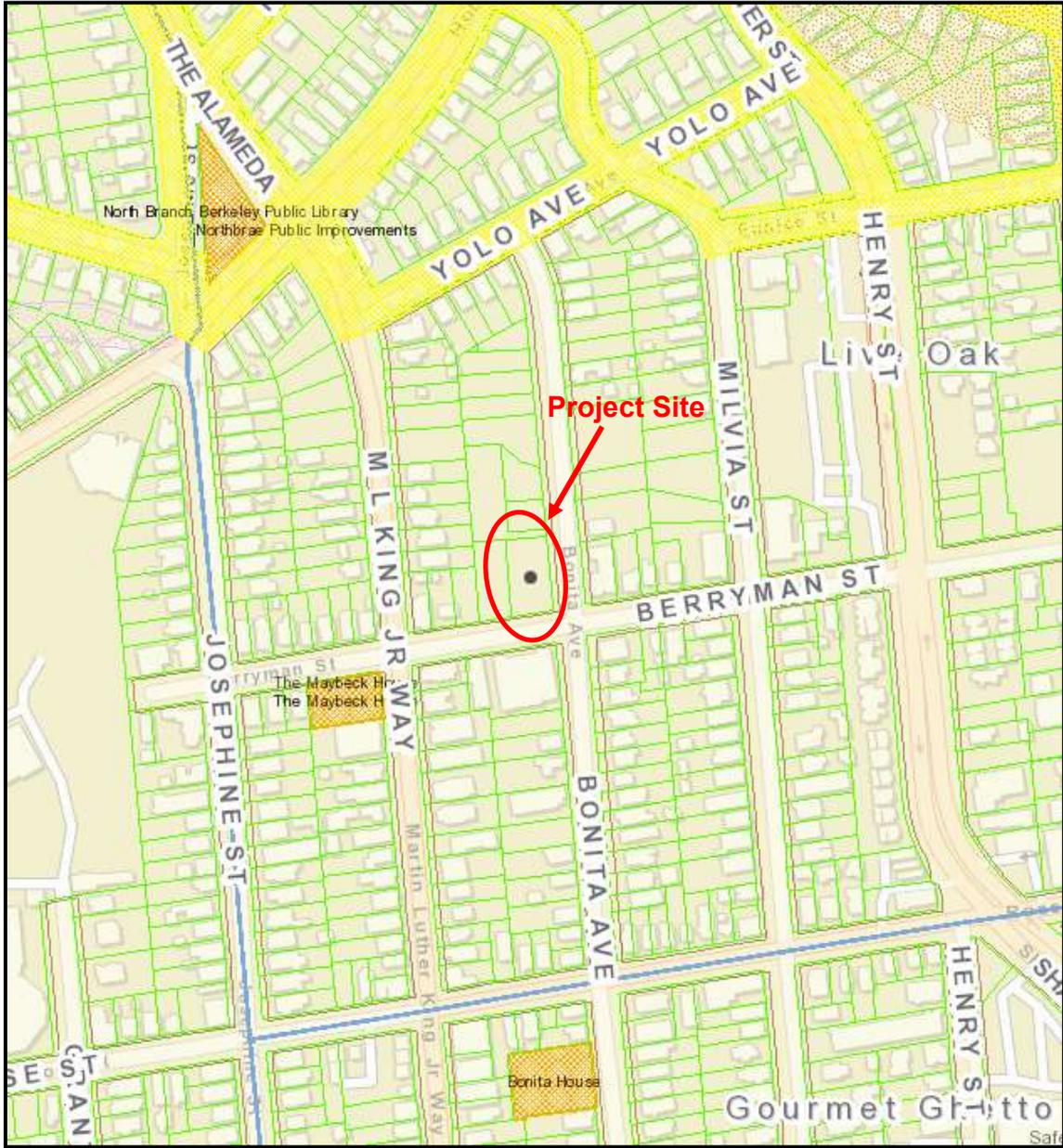
#### C. Parties Involved:

- **Property Owner:** Alon and Ravit Danino  
1493 Firebird Way  
Sunnyvale, CA
- **Applicant:** Deborah Kropp and 64 Berkeley Residents  
1213 Bonita Avenue  
Berkeley, CA
- **Application Author:** Daniella Thompson  
2663 LeConte Avenue  
Berkeley, CA

#### D. Staff Recommendation:

Hold a public hearing and consider final action on this request.

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



LANDMARKS PRESERVATION COMMISSION  
August 6, 2020

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**Figure 2: Subject property, current conditions – primary (south) facade**



(Photo by Hulbert)

**Figure 3: Subject property, current conditions – north (rear) facade**



(Photo by Thompson)

**Figure 5: Subject property, current conditions – west facade**



(Photo by Thompson)

## **II. Application Chronology**

On June 8, 2020, Deborah K submitted a Landmark or Structure of Merit application for the subject property on behalf of 65 Berkeley residents; see Attachment 1 of this report. The application was prepared by historian Daniella Thompson. In accordance with the provisions of Berkeley Municipal Code (BMC) Section 3.24.120, this application submittal initiated consideration of the property for designation status.

Previously, on May 26, 2020, the property owner provided City staff with early drafts of Department of Parks and Recreation (DPR) Forms A and B for the subject property, which were prepared by historic architect Mark Hulbert. On July 24, 2020, staff sent a letter to the property owner informing them of the Landmark initiation and tonight's anticipated public hearing. On July 13, 2020, the property owner provided the final drafts of the DPR Forms; see Attachment 2.

In accordance with the requirement of BMC Section 3.24.130, staff mailed and posted 10-day advance notices of this hearing; these notices were provided to the applicant, property owner and occupants of the properties within 300 ft. of the subject property.

While this application has been under review, the City has received more than twenty letters in support of the designation request; see Attachment 4.

#### **IV. Property Description**

The subject property is located on the northwest corner of the intersection of Berryman Street and Bonita Avenue. It is a rectangular corner lot, oriented in the north-south direction, and is comprised of approximately 10,500 sq. ft. in total area. It features a two-story main building originally constructed as a single-family residence and currently containing a total of three dwelling units. The building faces south, toward Berryman Street. A detached, single-car garage is located at the rear of the parcel, and is served by driveway access to Bonita Avenue. There are mature trees on the site, including multiple coast live oak trees, which are a species protected under City ordinance. The property was developed in 1889, and the main building was built by the prominent firm Lord and Boynton for the owner William Hawes Payson (1855-1914), a co-founder of the First Unitarian Church.

The Landmark application (Attachment 2) provides a detailed description of the subject main building; see Attachment 1 of this report. In order to provide only a brief description here, staff points out that the building is comprised of several building segments following an irregular plan, topped with variations of both hipped and gable roof forms. It is clad with unpainted wood shingles and painted board siding at the basement level. The abundant window openings are trimmed with painted wooden frames, and most of the windows feature painted wooden sashes with only a few metal sash exceptions. The primary façade (south) is two-stories in height and features the main entry porch, which appears to have been partially enclosed. A brick chimney protrudes from the roof near the rear of the building, extending from the building's interior. The design is distinctly residential in character and reflects no particular architectural style from its time of construction, although Thompson has referred to it as *rustic Victorian*.

The application and historical documentation do not include early photographs of the property, so it is not known with certainty what the building's original appearance might have been. Building records and Sanborn Maps indicate that it was altered as early as 1925 when the central segment of building was expanded (vertically). Further alterations are documented in the mid 1940's when the interior was sub-divided into multiple units and the rear porch was reconfigured. Other alterations, such as enclosing the front porch and replacing windows, are presumed to have occurred.

In addition to information in the Landmark application, the property owner's evaluation provides relevant information and documentation of the property, its history and development, and persons associated with it; see Attachment 3.

#### **IV. Historic Resource Status**

The subject property does not appear on the National Register of Historic Places or the State Historic Resources inventory. Nearby City Landmarks include the Bonita House,

at 1410 Bonita Avenue, the Maybeck House at 1300 Martin Luther King Jr. Way, the North Berkeley Public Library at 1170 The Alameda, and the Northbrae Public Improvements, located throughout the neighborhood immediately north of the site; see Figure 1.

## V. Analysis and Evaluation

The analysis section of this report will refer to the research and information provided in the Landmark application (Attachment 1) and DPR Forms (Attachment 2) regarding the subject property's historic context and existing conditions. This section analyzes the extent to which the property appears to meet significance criteria set forth in the Landmarks Preservation Ordinance (LPO), Berkeley Municipal Code (BMC) Chapter 3.

**Historic Context**<sup>1</sup>. Given its 1889 date of completion and type of construction (e.g.: residential/single-family), the subject site is associated with the theme of residential development and the early development of Berkeley, generally. Its period of significance is understood to have begun with its construction in 1889, and estimated to have lasted until the time of its first documented structural alteration in 1925.

**Landmarks Preservation Ordinance Significance Criteria.** When it designates a property as a Landmark, Historic District, or Structure of Merit, the Commission must find that the property meets one or more of the required criteria codified in LPO, BMC Section 3.24.110. These criteria are relatively specific and appear to align with California Register and National Register criteria. The significance criteria for a Structure of Merit are broader than those for Landmarks status, and include properties that qualify individually as good examples of architectural design, or that qualify as contributors to the context of a larger streetscape or area.

The Landmark applicants believe that the property at 1915 Berryman Street would meet the LPO criteria related to *architectural merit* as well as criterion for *historic value*. However, as explained in the analysis that follows, the existing conditions and available information about the property's history do not appear to support this conclusion.

Landmark criteria – Architectural Merit. The subject property could be measured against the LPO designation criteria for *noteworthy work of a master builder* (BMC Section 3.24.110.A.1.b) owing to Thompson's assessment that it is notable within the body of Lord and Boynton's surviving work because it is an unadorned residential design that seemingly reflects the Unitarian spirit of its commissioning owner. Because Lord and Boynton's extant residential buildings – including the recently-designated Queen Anne residence at 2328 Channing Way<sup>2</sup> – are exceptionally decorative, this assessment is accurate.

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<sup>1</sup> National Register Bulletin #15, Item V: *How to Evaluate a Property within its Historic Context* (2002); National Register Bulletin #16A, Section III: *How to Complete the National Register Registration – Period of Significance* (1997).

<sup>2</sup> The Landmarks Preservation Commission approved the City Landmark designation of 2328 Channing Way, the Luttrell House attributed to the building firm Lord and Boynton, on July 2, 2020. This decision is pending certification by

The LM application goes on to state that the property could be eligible for designation consideration under the criterion for *neighborhood value* (BMC Section 3.24.110.A.1.c). However, staff observes that the LPO specifically requires that a property add value as part of a “neighborhood fabric,” and this implies that the building would be within a concentration of, or linked to, similar buildings that together exhibit a particular continuity. But the application does not make this case for 1915 Berryman Street and does not relate the subject building to an ensemble of comparable structures in the area. The property owners’ DPR Form B evaluates the building in relation to its contemporaries in the immediate vicinity and then concludes that 1915 Berryman is not comparable in design quality to these structures, which are the more distinctive historic architectural examples in the immediate neighborhood (Attachment 2, Supplemental analysis, page 3).

The Payson House has discernable character and feeling, and a direct association with the building firm Lord and Boynton; but it possesses limited other aspects of integrity. Most importantly, it lacks the aspects of design, materials and workmanship<sup>3</sup> that are necessary for any structure to exhibit historical significance related to its architecture.

The subject property may not possess sufficient features and aspects of integrity to exhibit architectural merit; the Commission should discuss this matter.

Landmark criterion – Historic Value. According to BMC Section 3.24.110.A.4, properties that embody or express the history of Berkeley, Alameda County, California or the US, may be eligible for designation consideration for their *historic value*. The property at 1915 Berryman is directly associated with the firm Lord and Boynton, who multiple historians suggest is among Berkeley’s master builders. This association is well-documented in the LM application and, therefore, the property meets the consideration criteria. However, this property is not an outstanding or good example of their work, and better examples exist, including 2328 Channing Way and the City Landmark Bonita House at 1410 Bonita Avenue. Further, as a best practice in the field of historic preservation, properties that are potentially significant as examples of professional design or engineering skill should be evaluated for architectural merit rather than historic value or significant persons.

The subject property is also associated with its original owner and occupant, William H. Payson, who was an attorney, political reformer and co-founder of the First Unitarian Church. The Landmark application, however, has not demonstrated how the extant residential building at 1915 Berryman Street currently embodies or represents Payson’s contributions. His activities within religious and political organizations (if found significant) would be more correctly associated with the

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City Council and completion of the appeal period (anticipated to occur on September 15, 2020).

<sup>3</sup> National Register Bulletin #15, Item VII: *How to Evaluate the Integrity of a Property*.

institutions and locations in which they occurred. Because the subject site served as his personal residence, productive activities would not be attributed to it.<sup>4</sup>

Structure of Merit criteria. For the reasons explained above, the property does not appear to be worthy of preservation as a Structure of Merit (BMC Section 3.24.110.B) as part of a neighborhood, a block or a street frontage, or a member of a group of City Landmark buildings because the extant building is:

- (1) Not a good example of architectural design; and
- (2) Not compatible or comparable to the nearest City Landmark buildings, The Maybeck House (constructed 1892) and The Bonita House (constructed 1892), although it is a contemporary of both.

For all of these reasons, staff concludes that the property at 1915 Berryman may not exhibit sufficient features or associations for designation as a City Landmark or Structure of Merit. Staff has prepared draft Findings for Denial should the Commission reach a similar conclusion; see Attachment 3. However, if the Commission acts to grant designation status, then it may consider adopting the Findings for Significance (Attachment 1, page 59) and list of Features to be Preserved (page 17) that are included in the Landmark application.

## VI. Recommendation

Staff recommends that the Commission consider the extent to which this property meets the criteria for City Landmark or Structure of Merit designation pursuant to BMC Section 3.24.110.A.1, and whether favorable action is warranted.

### Attachments:

- 1. Landmark application** 1915 Berryman Street, prepared by Daniella Thompson, date received June 8, 2020
- 2. Department of Parks & Recreation Forms A & B** and Supplement analysis for 1915 Berryman Street, prepared by Mark Hulbert of Preservation Architecture
- 3. Draft Findings for Denial**
- 4. Correspondences received** (qty. 26)

**Prepared by:** Fatema Crane, Senior Planner; [fcrane@cityofberkeley.info](mailto:fcrane@cityofberkeley.info) (510) 981-7410

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<sup>4</sup> National Register Bulletin #32, *Guidelines for Evaluating and Documenting Properties Associated with Significant Persons.*

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

*Received  
June 8, 2020*

**William H. & Esther L. Payson House**  
1915 Berryman Street  
Berkeley, CA 94709



*Figure 1. Payson House, front façade (Alon Danino)*

1. **Street Address:** 1915 Berryman Street  
**County:** Alameda      **City:** Berkeley      **ZIP:** 94709
2. **Assessor's Parcel Number:** 60-2449-13 (Berkeley Villa Association, Block 16, Lot 9)  
**Dimensions:** 141.5 feet (west) x 75 feet (north) x 136 feet (east) x 75 feet (south)  
**Cross Street:** Bonita Avenue
3. **Is property on the State Historic Resource Inventory?** No  
**Is property on the Berkeley Urban Conservation Survey?** No  
**Form #:** N/A
4. **Application for Landmark Includes:**
  - a. **Building(s):** Yes      **Garden:** N/A      **Other Feature(s):**
  - b. **Landscape or Open Space:** Yes
  - c. **Historic Site:** No
  - d. **District:** No
  - e. **Other:** Entire property
5. **Historic Name:** Payson House  
**Commonly Known Name:** Miller House; "Old farm house"
6. **Date of Construction:** 1889      **Factual:** Yes  
**Source of Information:** *Berkeley Herald*, 2 January 1890; 1889 city directory
7. **Designer:** Unknown
8. **Builder:** Lord & Boynton
9. **Style:** Rustic Victorian
10. **Original Owners:** William Hawes Payson & Esther L. "Etta" (Tripp) Payson  
**Original Use:** Single-family residence
11. **Present Owner:**  
Ravit & Alon Danino  
1493 Firebird Way  
Sunnyvale, CA 94087-3450  
  
**Present Occupant:** Unoccupied
12. **Present Use:** Residential (3 units per Alameda County Assessor's Office; sold as two units)  
**Current Zoning:** R-2A      **Adjacent Property Zoning:** R-2, R-2A
13. **Present Condition of Property:**  
**Exterior:** Fair      **Interior:** Fair      **Grounds:** Wooded  
  
**Has the property's exterior been altered?** Yes, in 1925 and mid-1940s.

## Executive Summary

The William H. & Esther L. Payson House is a Victorian-era house built in 1889 by the important but short-lived construction firm of Lord & Boynton, founded by the two Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921). Both partners arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

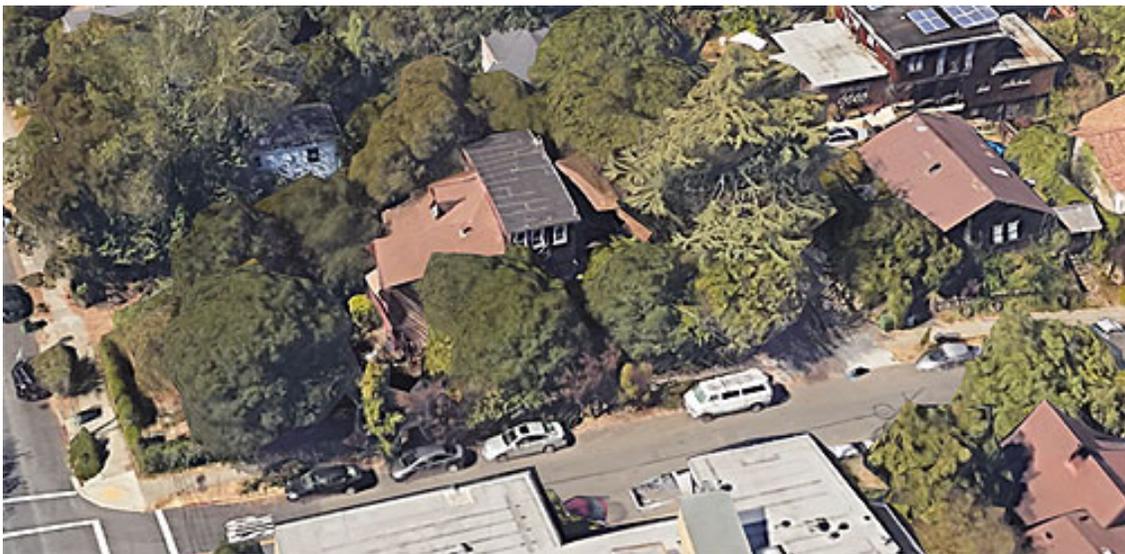
In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The Payson House is one of only five surviving buildings constructed by Lord & Boynton. It was one of the first houses built north of Berryman Street—an area that wasn’t even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would still recognize it today.



*Figure 2. The Payson House parcel, seen from the east (Google Earth)*

### 14. Description

The William & Etta Payson House is a one- and two-story wood-frame dwelling constructed in 1889. It is located on the northwest corner of Berryman Street and Bonita Avenue, in the center of a large lot, amid several coast live oaks.

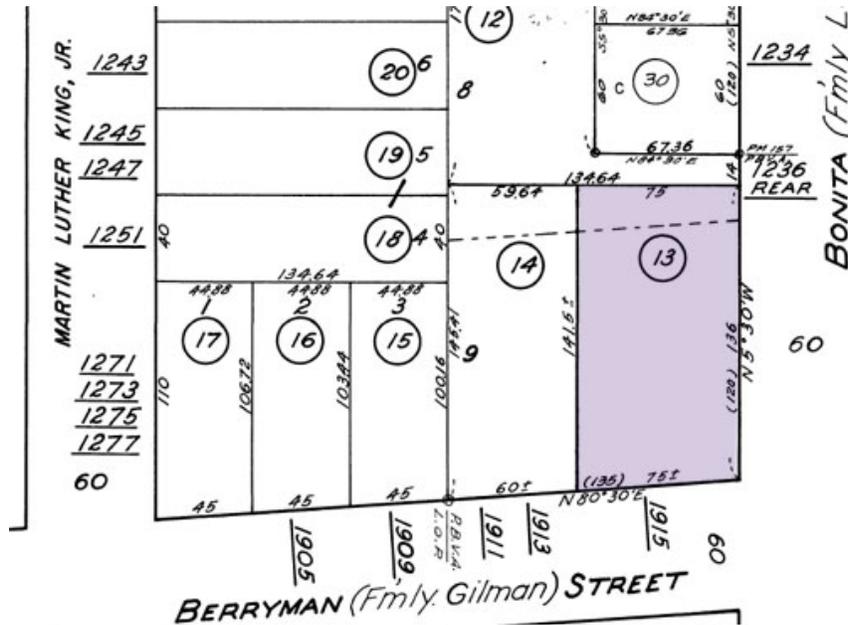


Figure 3. The subject property in the Assessor's Map of Block 2449

The house used to stand on a much larger parcel that included a still extant cottage (now 1234 Bonita Avenue), built c. 1892–93 for Mrs. Payson's sister.

The plan of the Payson House is irregular. The earliest outline available dates from a 1911 Sanborn map (Figs. 4, 5), since the neighborhood north of Berryman Street wasn't sufficiently developed in 1903 to warrant a Sanborn map.

Despite some modifications to the exterior, the 1911 outline is still easily recognizable today. Originally, the house comprised a central rectangular mass surmounted by a hip roof; a projecting gable-roofed front wing at the southeast corner; and a service wing at the northwest corner.

A bay window in the center of the west façade mirrored a square projection on the opposite side.

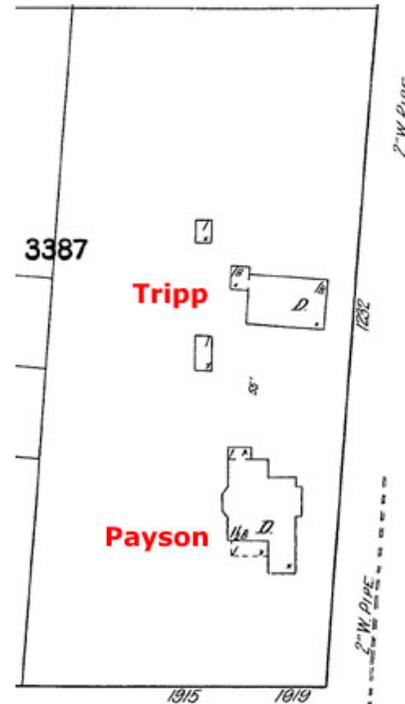


Figure 4. Sanborn map, 1911

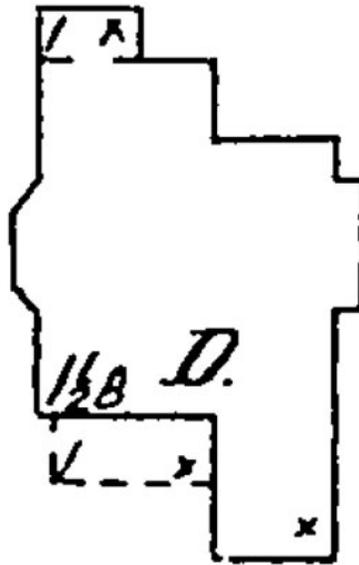


Figure 5. House outline in 1911 (Sanborn map)

As built, the Payson House was one-and-a-half stories high with a basement. The small, south-facing dormer in the hip roof (Fig. 8) marks the front half of the original attic. In 1925, then-owner Katherine Olden Easton (1863–1940), an artist and playwright, created a second story above the central portion of the house, surmounted by a new shallow-pitched roof that sheds over the projections in the east and west walls.<sup>1</sup> That roof is shown in the 1929 Sanborn map below.



Figure 6. The 1889 hip roof, surmounted by the shallow-pitched roof built in 1925.

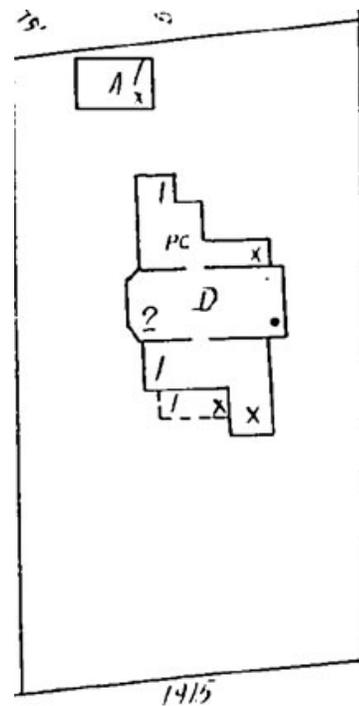


Figure 7. Sanborn map, 1929

<sup>1</sup> Building permit #20766. BAHA archives.

The photo below shows the front of the original hip roof, with the 1925 second-story addition behind. The dormer features a small gable roof with a pediment eave framed in ogee molding, and a double-hung window whose upper sash is divided into 3-over-2 lights.



*Figure 8. Front dormer in the original hip roof. Behind is the second story created in 1925.*

The Payson House is clad in unpainted wood shingles. A shingled skirt flares out over the water table above the basement level, where horizontal V-grooved rustic siding runs along all four sides of the house. The shingle cladding is not original to the house (had it been, it would have made this house the oldest shingled structure in Berkeley). The date of the shingled exterior is unknown; the shingles may have been applied under the influence of Bernard Maybeck, a close neighbor since 1892, or in conjunction with the shingling of the adjacent Tripp-Wollenberg cottage, on which Maybeck is said to have done some work in the first decade of the 20<sup>th</sup> century.

It is assumed that the original exterior was clad in rustic siding of the type seen on the basement-level exteriors. Rustic was the cladding applied to at least one other house constructed by Lord & Boynton in the same year they built the Payson House.

A known example is the James & Cecilia Luttrell House (Ira Boynton, designer; Lord & Boynton, builders, 1889) at 2328 Channing Way.



*Figure 9. Rustic siding, Luttrell House*

**South (front) façade**



*Figure 10. Front façade*

The front façade is asymmetrical, with a gable-roofed wing on the right, projecting south from the main, hip-roofed mass. The roof eaves are closed and shallow. A flight of open wooden stairs leads to the front entrance, which is reached via an opening in an enclosed porch. A horizontal window, apparently aluminum-framed, is embedded flush within the south wall of the porch.



*Figure 11. A view from the south*

A small horizontal wood-framed window faces west from the projecting front wing (Fig. 10). On its south façade, this wing features a pair of attached double-

hung, wood-framed windows whose upper panes are bordered by rows of small, square, plain-glass lights.



*Figure 12. Front wing*



*Figure 13. Windows in front wing*



*Figure 14. Enclosed porch, southwest corner*

As built, the entrance to the house was located within an open porch on the left side of the south façade (Fig. 5). That porch was enclosed in 1946 by then-owner Harry V. Miller, who added a fixed, multi-paned wooden window to the porch's west side (Fig. 15).<sup>2</sup>



*Figure 15. West-facing window in front porch*

<sup>2</sup> Building permit #58971. BAHA archives.



*Figure 16. West façade, seen from the northwest*

### **West façade**

The west façade is the least altered side, with the marked exception of the 1925 second-story addition that rides on top of the central bay window.

This façade is symmetrical, with the central bay flanked by walls of fairly equal length on either side.



*Figure 17. West façade*

A series of wood-framed windows, all of which appear to be original, lines the main-level walls. From north to south, these include a small double-hung window in the northern service wing; a pair of attached double-hung windows; a central three-sided bay containing four double-hung windows; and a horizontal double-hung window with a 5-over-3 multipaned lower sash (Fig. 21).



*Figure 18. Windows on main level, west façade*

Three sides of the second story have wood-framed windows: casements facing north and south, and a double-hung pair facing west. A red-brick chimney rises from the hip roof, hugging the second-story wall.



*Figure 19. Upper story above west façade*

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Figure 20. West façade, southern end



Figure 21. West façade, seen from the south  
(Mark Hulbert)



Figure 22. West façade toward the north



Figure 23. Bay window & second story,  
west façade

### East façade

The east façade is the most altered side of the house. By 1950, a one-story addition had been attached to the east wall of the front wing (Fig. 24). This addition appears to have a shed roof and is entered via an external staircase, presumably serving one of the former apartments. The addition was most likely built in the 1940s, possibly during World War II. No specific building permit has been found for this addition.

A wood-framed, double-hung window in the addition's wall appears to be original and may have been transferred from the front wing's wall.

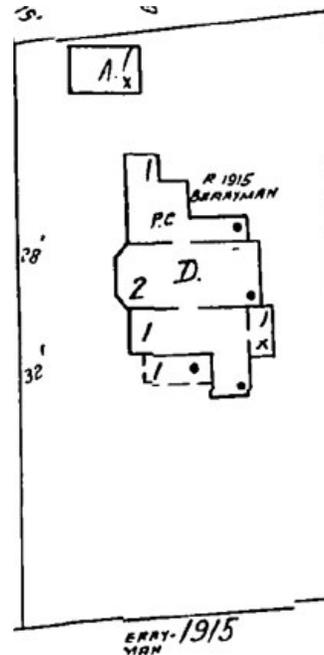


Figure 24. Sanborn map, 1950



Figure 25. Circa 1940s addition, east façade

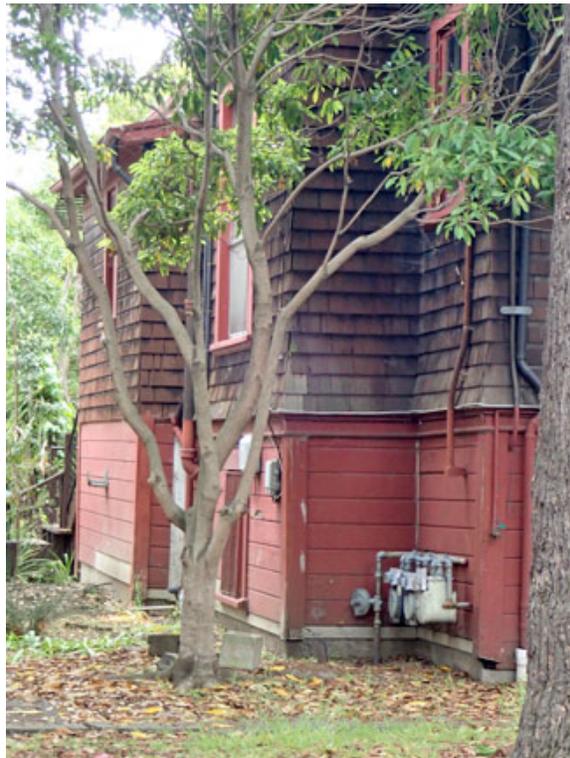
The 1925 second story extends over the main story's square projection in the center of the east façade. The window on the first story appears to retain its original frame minus the sill, but the sash itself has been replaced with aluminum. The upper story features three east-facing windows, all of vinyl.



*Figure 26. East façade, front & central sections*



*Figure 27. East façade, central section*



*Figure 28. East façade, seen from the north*

The northern section of the east façade includes a wood-framed, double-hung window of the same proportions as seen on the first story of the west façade.



*Figure 29. East façade toward the rear & garage*

### **North (rear) façade**

The north side of the house contains the projecting service wing under its own hip roof. It is entered through an east-facing door with a glazed upper third, reached via a flight of wooden steps. To the left of the door, a narrow wood-framed, double-hung window faces north. A smaller, single-paned window is positioned above the cellar entrance.



*Figure 30. North façade*

On the second story, two double casement windows with 2-over-3 glazed sashes face the rear. Between the service wing and the upper story rises a second brick chimney.



*Figure 31. Brick chimney, north side*



*Figure 32. Cellar & service entrances*



*Figure 33. Windows, north façade*

A one-car garage, clad in  $\frac{3}{4}$  rustic siding, stands in the northwest corner of the property, facing east along a driveway that opens to Bonita Avenue.

The garage was built in 1925 for then-owner Katherine Olden Easton by contractor J.P. Wood,<sup>3</sup> who built the second story at the same time.

#### **Alterations to the house**

The most significant alteration was made in 1925, when contractor James P. Wood raised the central portion of the roof to create a second story with bathroom facilities but no kitchen. The house remained a single-family residence at that time. Owner Katherine O. Easton, whose contractor husband died that year, may have built the second story to give her artist daughter her own space.

By 1945, when owner Harry V. Miller hired contractor George G. Sgritta to make alterations, the house was indicated in the building permit as serving two families. The work was described as follows:



*Figure 34. Garage, built in 1925*

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<sup>3</sup> Building permit #20767. BAHA archives.

Back outside stair to be fix [sic] up.  
~~and a lot more inside work to be done to improve the Bldg.~~  
 Inside stairway to be changed.

In 1946, Harry Miller enclosed the front porch, changing the side window. It was during Miller's ownership that the house was divided into apartments, and the small addition with its private entrance at the southeast corner no doubt served that purpose, but no building permit has been found for the separation. By 1955, when Miller applied for a permit to lower the kitchen ceiling, the house was described as a three-family apartment building.<sup>4</sup>

The recent listing of the house, which sold on 18 March 2020, included the following description:

Two story craftsman with a full walk-in basement. Floor plan was 3 units, previous owners removed the common wall between the two main level units to create one large living area to accommodate their large family. Third unit is upstairs.

### Features to be preserved

The distinguishing features of the Payson House include the following:

- Rectangular mass with projecting wings at southeast and northwest, and central bays at east and west sides
- Main hip roof; gable roof over southeast wing; gable roof over south dormer; accessory hip roof over northwest wing; shed roofs in rear
- South-facing, gable-roofed dormer with pediment eave
- Ogee molding on roof eaves
- Shingle cladding (or, preferably, original cladding underneath the shingles)
- V-groove Rustic siding on basement-level exteriors
- Water table on all four sides
- Wood-sash windows (double-hung, casement, and fixed; with divided and undivided lights) in flat wood board casings, and projecting window sills with molded apron trim
- Wooden exterior doors
- The remaining six coast live oaks (two trees were cut down in March 2020)

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<sup>4</sup> Building permit #77177. City of Berkeley.

## 15. History

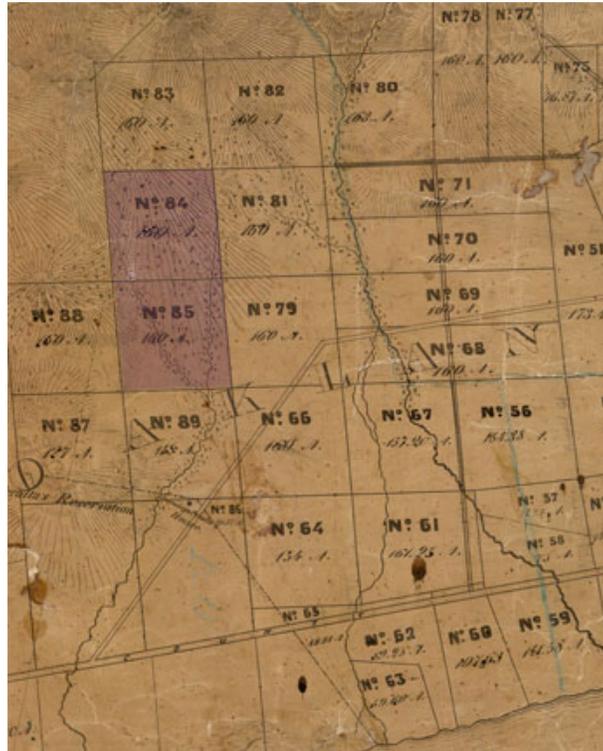


Figure 35. Plots 84 & 85 (shaded) in Kellersberger's Map

The Berkeley Villa Association tract, in which the Payson House is located, was part of Rancho San Antonio, a 44,800-acre Spanish land grant given in 1820 to Sergeant Luís María Peralta (1759–1851) by the last Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

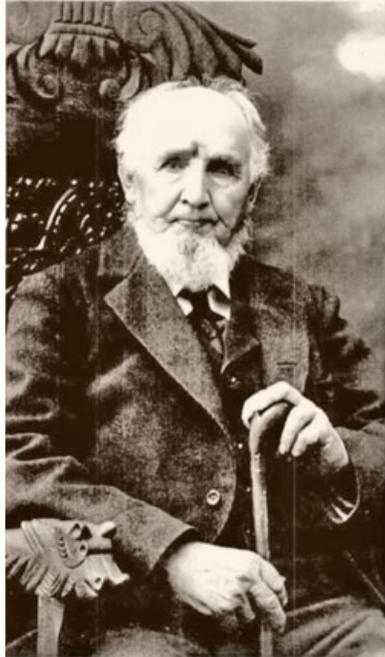
In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of rancho land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger<sup>5</sup> to map the Peralta Ranchos for subdivision purposes.

As related in *Berkeley, the First Seventy-Five Years*, "during the late 1850s and early 1860s Domingo Peralta's former property was the subject of almost continuous parcelings, mortgagings, and transfers. Most of the transactions were

<sup>5</sup> Map of the Ranchos of Vincente & Domingo Peralta. Containing 16970.68 Acres. Surveyed by Julius Kellersberger. Surveyed 1853. Partitioned 1854. Filed Jan. 21st 1857. Courtesy of Barry Lawrence Ruderman Antique Maps, Inc. <http://www.raremaps.com/gallery/enlarge/39956>

made for speculation or investment; a few, to provide homes and ranches for new settlers.”<sup>6</sup>



### Napoleon Bonaparte Byrne

One of the new settlers was Napoleon Bonaparte Byrne (1817–1905), a prosperous plantation owner from New Madrid, Missouri, where he raised thoroughbred horses and cattle.<sup>7</sup>

In the 1850s, malaria was rampant along the Mississippi and Missouri Valleys.<sup>8</sup> Byrne, whose plantation was located by the Mississippi River, decided to move his family to California. He sold the plantation, freed his slaves, and undertook a six-month journey across the plains in a covered wagon, arriving in Oakland in the fall of 1859.

In addition to the Byrne family, the overland party included two freed slaves, Peter and Hannah Byrne, the first African-Americans to settle in Berkeley.

Figure 36. Napoleon Bonaparte Byrne  
(Berkeley Historical Society)



Figure 37. Codornices Creek in March 1861 (detail from James G. Stratton's land case map, Bancroft Library, U.C. Berkeley)

In March 1860, Napoleon Byrne began purchasing land along Codornices Creek. In June 1860, the U.S. Census enumerated the Byrne household in Oakland (Berkeley was not yet named). The household included ten persons: Napoleon and Mary Byrne; their four children; two white laborers, and two African-Americans—Peter, a laborer, and Hannah, a nurse. Byrne's real estate was valued at \$7,000, and his personal estate at \$4,000.

<sup>6</sup> *Berkeley, the First Seventy-Five Years*. Writers Program of the WPA in Northern California. Berkeley: The Gillick Press, 1941.

<sup>7</sup> Mary Tennent Carleton. *The Byrnes of Berkeley, From Letters of Mary Tanner Byrne and Other Sources*. *California Historical Society Quarterly*. San Francisco, 1938. Vol. 17, No. 1, pp. 41–48.

<sup>8</sup> Sok Chul Hong. *The Burden of Early Exposure to Malaria in the United States, 1850–1860: Malnutrition and Immune Disorders*. *J Econ Hist*. 2007 Dec; 67(4): 1001–1035.

Napoleon Byrne continued to acquire land from four different sellers; by April 1861, he was in possession of 827 acres in plots 84 and 85 of Kellersberger's Map.

In 1868, the Byrnes built an elegant Italianate villa surrounded by a large garden, located at what is now 1301 Oxford Street. In 1870, the U.S. Census recorded the value of Byrne's real estate at \$100,000, and his personal estate at \$10,000. The household numbered 12 persons, including three new Byrne children, a Canadian-born laborer, an Irish-born woman servant, and a Chinese waiter. The former slaves were no longer part of the household; Peter Byrne changed his surname to Wilson and established himself as a whitewasher in Oakland.



Figure 38. The Byrne house, built in 1868 (Pettitt: Berkeley, the Town and Gown of It)

Although the farm was "good enough to pay for itself with one or two crops," Napoleon Byrne was not pleased with the soil, feeling that it was "not of the first class," as Mary Byrne wrote to relatives in Missouri. He had begun to sell portions of his land in 1868. Having heard of the enormous crops that could be raised in the Sacramento-San Joaquin River Delta, Byrne joined three friends in 1873 and purchased the marshy, 3,100-acre Venice Island, where he moved with his family. He financed the purchase by selling the final large chunk of his Berkeley land to businessmen Henry Berryman and Felix Chappellet for \$49,000, reserving for himself the family house and the surrounding 11 acres. The Byrnes would never again occupy their villa.

### **Berryman, Chappellet and the Berkeley Villa Association**

Henry Burpee Berryman (c. 1842–1903) was born in New Brunswick, Canada. As a young man, he moved to San Francisco and began working for another New Brunswicker, a wealthy coal merchant named James R. Doyle. Doyle died

in 1872, leaving a sizable estate. Shortly thereafter, his widow, Louisa McKevo Doyle, married Henry Berryman, who “took entire charge of the affairs of her husband’s estate.”<sup>9</sup>

The Doyle estate enabled Berryman to join the French-born merchant and former mining operator Felix Chappellet (1828–1902) in purchasing Napoleon Bonaparte Byrne’s land in 1873.

Berryman and Chappellet had the land surveyed in October 1873. On 27 July 1875, a subdivision map of the Berkeley Villa Association tract (Fig. 40) was filed in the Alameda County Recorder’s Office. The tract occupied the northern half of Plots 84 and 85 in Kellersberger’s map (Fig. 35).

As drawn in the 1875 map, the tract was a grid comprising 32 rectangular city blocks bounded by Rose Street to the south, Josephine Street to the west, and Eunice (then Durant) Street to the north. East of Arch Street, eight blocks stretched deep into the hills, ending with the imagined East Street. The eight eastern blocks were never realized as drawn.



Figure 39. Felix Chappellet

Blocks 22 and 23 remained Napoleon Bonaparte Byrne’s property. However, Byrne soon ran into financial difficulties on Venice Island, as the cost of employing Chinese labor to build levees and reclaim the marsh proved prohibitive. In 1877, Byrne sold his Berkeley house to Henry and Louisa Berryman, who made it their home.

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<sup>9</sup> Mrs. Louisa Berryman’s deposition in a trust court case brought against the Berrymans. *Daily Alta California*, 26 January 1890, page 8, column 1.

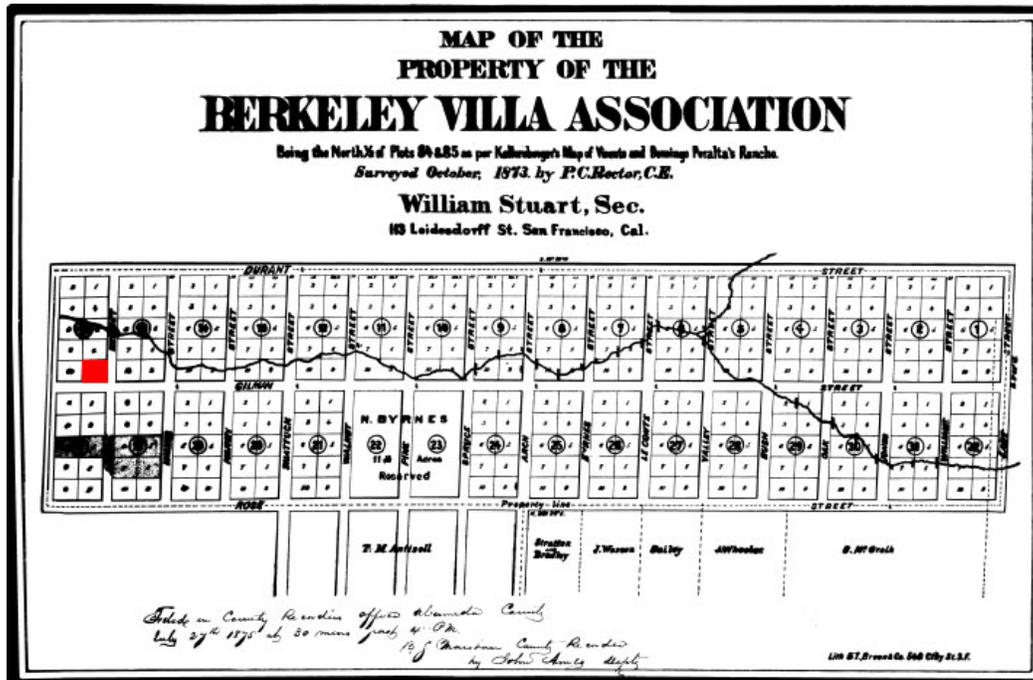


Figure 40. Berkeley Villa Association tract map, filed in 1875. Lot 9 in Block 16 is marked in red.

In June 1878, the Oakland real estate agent G.F.E. Brinckmann filed a map of the Berryman Tract that advertised select lots for sale at auction. This map showed a more realistic view of the terrain, with the area east of Spruce Street no longer laid out in a uniform grid but with parcels of various shapes and sizes set along meandering streets. The old Byrne house and grounds were marked "H.B. Berryman" (Fig. 41).



Figure 41. Map of the Berryman Tract filed by G.F.E. Brinckmann, June 1878

In 1880, the map published by Berkeley realtors Carnall & Eyre (Fig. 42) revealed a more modest subdivision. The Byrne property was now called the Berryman Reserve.

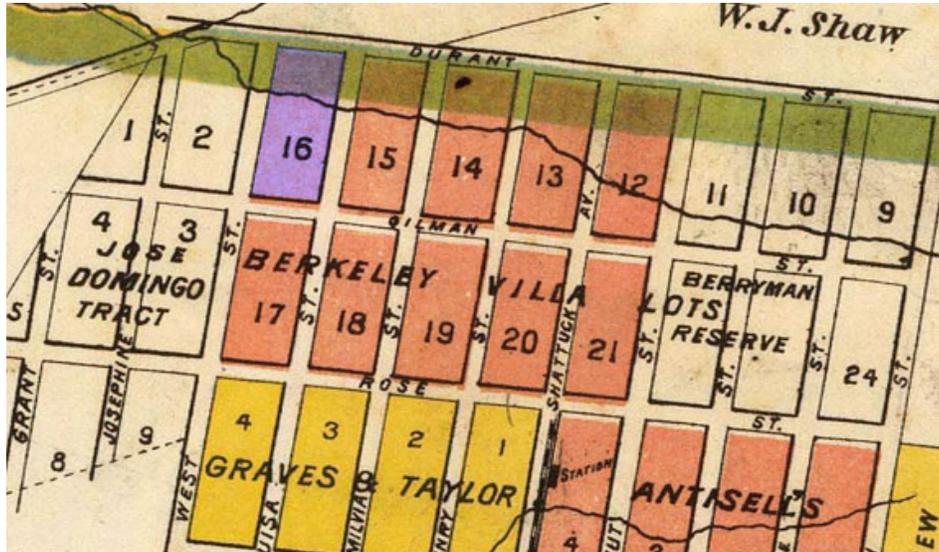


Figure 42. Block 16, Berkeley Villa Association tract (Carnall & Eyre map of Berkeley, 1880)<sup>10</sup>

Even before the first subdivision map of the Berkeley Villa Association tract was filed, Chappellet and Berryman began selling lots, as evidenced by a newspaper advertisement (Fig. 43) published in June 1875.

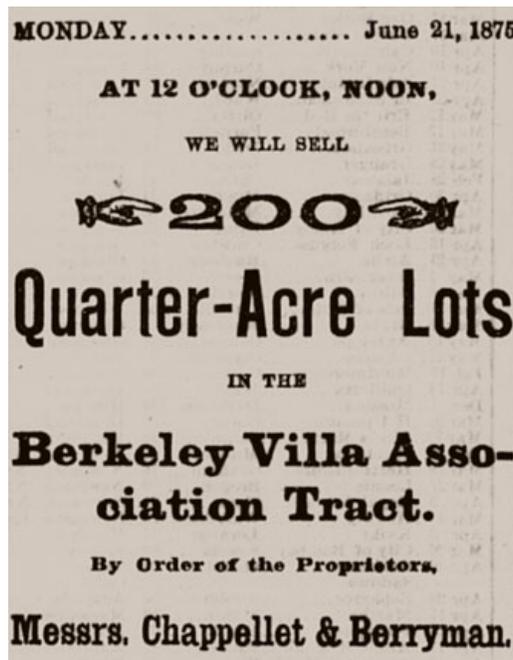


Figure 43. Detail from an ad by Olney & Middleton  
(Daily Alta California, 4 June 1875, page 3)

<sup>10</sup> David Rumsey Map Collection.

The nearly full-column ad, taken by the real estate auctioneers Olney & Middleton in the *Daily Alta California* on 4 June 1875, promised unsurpassed views, comprising “a panorama extending from Petaluma on the north to Santa Clara on the south, and including the Bay and its Islands, the Golden Gate, Redwood City and San Mateo, together with New Saucelito [sic] and San Rafael on the west.”

The ad further announced:

This property connects to Oakland by HORSE CARS to the University, which run every seven minutes, and to within a quarter mile of the Tract, and shortly will be extended to it. It connects to San Francisco by the BERKELEY FERRY BOAT, which makes eight trips a day, the landing being at the foot of University Avenue, distant one mile and a quarter from the property. Arrangements are in progress for a railroad from the landing to the University, and on its completion the time from San Francisco to this Tract will not exceed one hour. [...] The route of the Central Pacific (Bantas) Overland Railroad passes within a half-mile of this Tract.

Just as important as transportation was the question of the water supply, and here, too, the ad made bold claims:

UNSURPASSED WATER FACILITIES are secured to the Tract; first, by a never-failing stream of flowing water running through the centre of the Property, and second, by the incorporation of the BERKELEY VILLA WATER COMPANY, organized for the purpose of constructing a RESERVOIR of sufficient capacity to furnish any quantity of water that may be required for irrigation as well as home use.

Purchasers of lots at the auction sale were guaranteed a 15% discount off the regular water rate in perpetuity.

Perhaps the most extravagant promise made in the Olney & Middleton auction ad was that 12 blocks, containing 60 acres, would be set aside as a “magnificent park and garden,” and that a “commodious hotel” would be erected “at once.”

Also, articles of incorporation of the Berkeley Villa Land and Water Company—organized for the purpose of supplying water to the residents of the Berkeley Villa Tract and vicinity. Capital, \$500,000, in shares of \$100 each. Directors—Henry B. Berryman, Fred. M. Berryman, J. M. Miner, F. Chappellet and P. Ostrander. The principal place of business will be in San Francisco. . . . Also, articles of incorporation of the

Figure 44. Incorporation notice in the *Sacramento Daily Union*, 27 October 1875

In August 1877, Berryman bought out Chappellet's interest in the water company<sup>11</sup> and built Berryman Reservoir on Codornices Creek. When the Central Pacific Railroad extended its Berkeley Branch Line from downtown Berkeley to Shattuck and Vine Street, the new train depot became known as Berryman Station. Chappellet, in his turn, took over the sixteen western blocks of the Berkeley Villa Association tract. By the spring of 1877, he had subdivided many of the lots into smaller ones, each a third of the original parcels' size.

In May 1877, Chappellet put 150 lots on the auction block. The announcement of the upcoming sale promised:

The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

The announcement provided the time table of the Berkeley Branch Railroad, with nine daily departures from San Francisco to Berkeley and nine in the opposite direction (Fig. 45).

MAURICE DORE. **Map of the** H. A. COBB.

# BERKELEY VILLA TRACT,

## 150 Large Lots to be sold at Auction,

On TUESDAY, May 15th, 1877, on the Grounds, at 1 o'clock P. M.

TERMS: One thousand dollars, or over, one-fifth Cash, balance in one, two and three years, secured by Mortgage, with Eight per cent. per annum interest. Under one thousand dollars, one-quarter Cash, and balance same as above.

### Time Table Berkeley Branch.

From	7.30 a. m.	From	7.30 a. m.
San Francisco	8.30	Berkeley	8.30
	9.30		9.30
	10.30		10.30
	11.30		11.30
to	1.00 p. m.	to	1.00 p. m.
Berkeley.	4.00	San Francisco.	4.00
	5.00		5.00
	6.00		6.00

N. B. Title to the above property perfect. For particulars and Maps, apply at our office. The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

**MAURICE DORE & CO.,** Real Estate Auctioneers,  
Of F. CHAPPELLET, Berkeley, C.P.R.R. Terminus. 410 Pine Street, San Francisco.

Figure 45. Lot 9 (red), Block 16 in auction announcement, May 1877

<sup>11</sup> William Warren Ferrier. *Berkeley, California: The Story of the Evolution of a Hamlet into a City of Culture and Commerce*. Berkeley: William Warren Ferrier. 1933

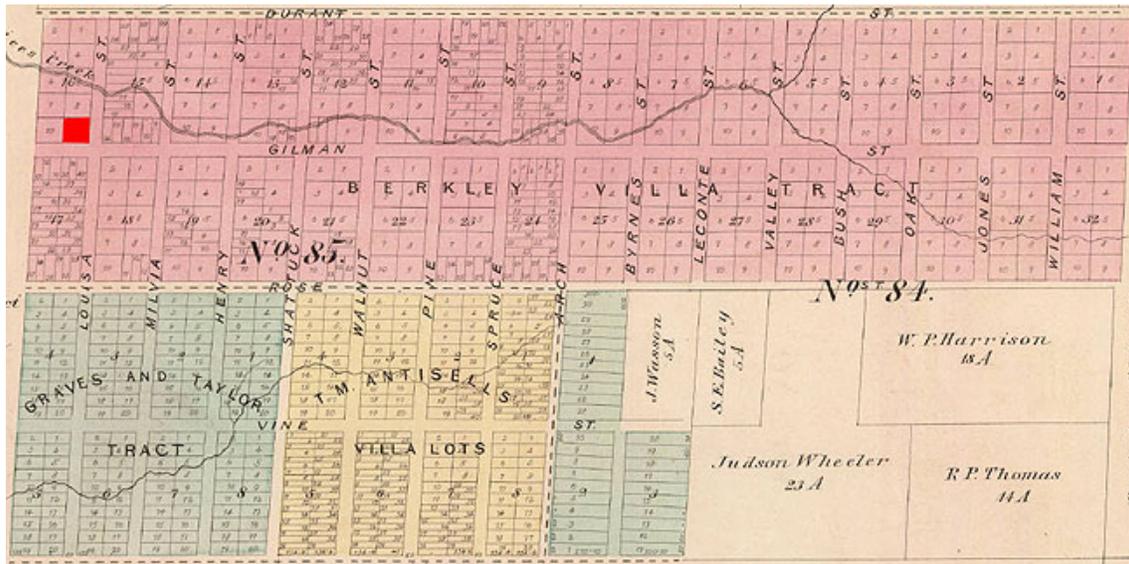


Figure 46. Future Payson parcel (red), Berkeley Villa Association tract  
(Thompson & West Map No. 18, 1878, David Rumsey Map Collection)

### Early settlers in the neighborhood

The blocks situated around the intersection of Berryman Street and Bonita Avenue—originally named Gilman (for U.C. president Daniel Coit Gilman) and Louisa (for Henry Berryman’s wife)—saw their first lot purchases in the latter half of the 1870s, but most of those lots remained vacant, and the area retained its rural character.

The earliest structure, a one-story house, built c. 1878 by the French-born cook James Souffrain and his wife Caroline, stood on the northern bank of Codornices Creek, at 1221 (today’s 1227) Bonita Avenue. That house was replaced in 1916.

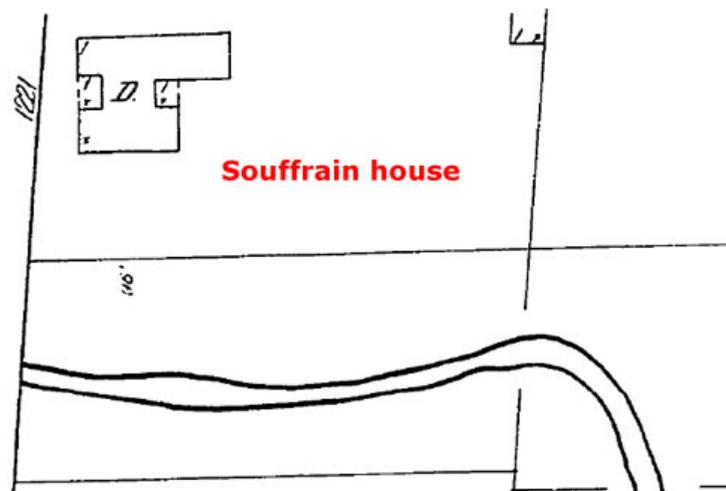


Figure 47. Sanborn map, 1911

As early as 1880, Henry and Louisa Berryman, who owned the entire block south of Berryman Street and west of Bonita Avenue, were assessed \$500 for a structure that stood on a parcel comprising today's 1308 to 1312 Bonita. This structure was joined in 1888 by a larger Berryman-owned house on the southwest corner of Louisa and Gilman streets, later 1304 Bonita Avenue. The corner house was home to Henry Berryman's brother, **Frederick Miles Berryman**, and his wife Susan, who acquired it circa 1900. The house was still standing in the late 1960s, albeit on a much-reduced lot, but has since been demolished and replaced in 1972 with a three-story, 24-unit apartment building.



R. J. Waters. Photo.

Gold Hill, Nevada.

Fallen Leaf Lake. Altitude 6320 Ft. near Lake Tahoe.

Figure 48. *Fallen Leaf Lake*, by R.J. Waters, 1886 (University of Nevada, Reno)

In 1881, a third house was built on the southeast corner of Gilman and Louisa (today's 1301 Bonita Avenue). This house was the home of California pioneer George Gilbert Waters who, with his wife Lydia Milner Waters, crossed the Plains to California in 1855.<sup>12</sup>

Lydia died in Monterey in 1881, and George settled in Berkeley.

By 1885, the house belonged to his famous son, **Raper James Waters** (1856–1937), a photographer who established a successful studio in San Francisco and is known for his artistic landscapes (e.g., Lake Tahoe Series); images of gold-mining towns (e.g., Comstock Series),<sup>13</sup> and San Francisco before, during, and after the 1906 Earthquake and Fire. Much of his pre-1906 work perished, but four of his early shots of U.C. Berkeley landmarks survive in the University Archives.<sup>14</sup>

<sup>12</sup> Lydia Milner Waters. "Account of a Trip across the Plains in 1855." *Quarterly of the Society of California Pioneers*, March 1929, pp. 59–79.

<sup>13</sup> Many early photographs by R.J. Waters & Co. are in the Special Collections Department of the University of Nevada, Reno Library.

<sup>14</sup> <https://oac.cdlib.org/findaid/ark:/13030/kt429003bb/dsc/>

The Waters house stood on a very large lot that remained undivided in 1911, as shown in the Sanborn map to the right.

Beginning in 1913, the Waters parcel was subdivided, and houses were built on it, numbered 1301 to 1325 Bonita Avenue. The corner building, an attractive Mediterranean-style fourplex, an attractive Mediterranean-style fourplex at 1301 Bonita, was constructed in 1922 by investor Gilbert B. Ocheltree, who made his own home in a duplex at 1307-09 Bonita.

In later years, a notable owner of the Ocheltree duplex was famed botanist **Dr. Mary Leolin Bowerman** (1908-2005), co-author of *The Flowering Plants and Ferns of Mount Diablo, California; Their Distribution and Association into Plant Communities*, and co-founder of Save Mount Diablo.



Figure 49. Sanborn map, 1911



Figure 50. Mary Bowerman in her Nash Junior car at the top of Mount Diablo, June 1930  
(courtesy of Save Mount Diablo)

The Sanborn map below shows outlines of the houses that were built between 1880 and 1903 on the blocks directly south of Berryman Street, between Grove (MLK Jr. Way) and Milvia streets. Because the area north of Berryman Street was still sparsely developed, the Sanborn Map Company did not survey it until the 1911 edition.

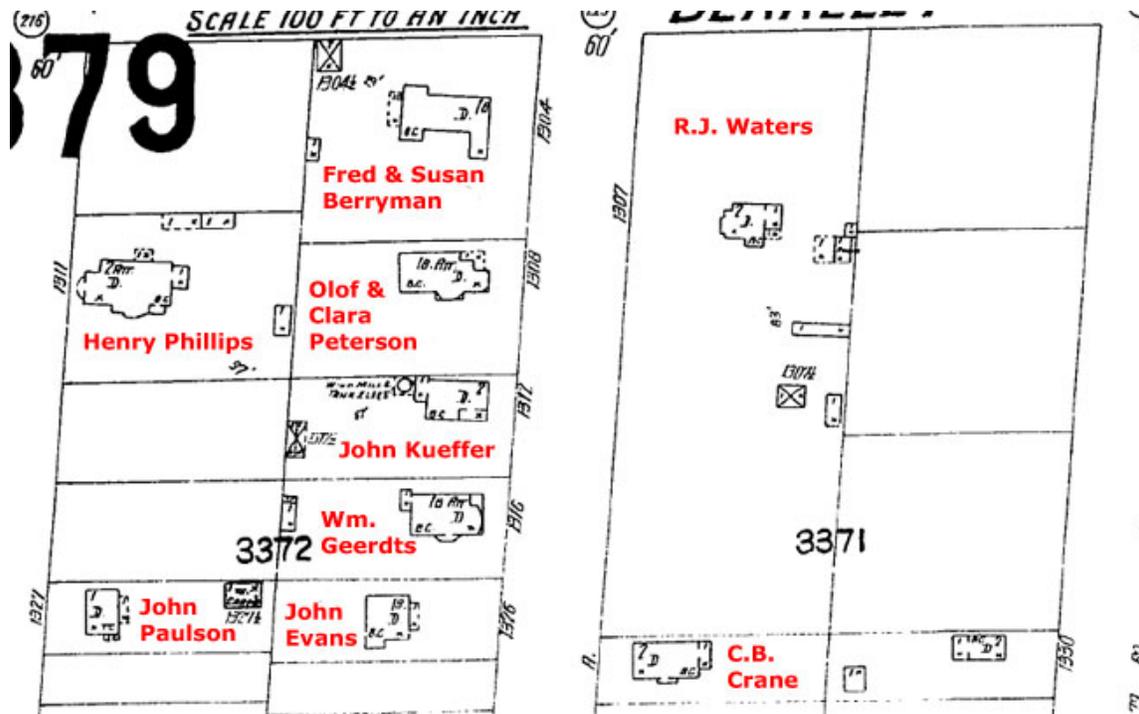


Figure 51. Early houses in Blocks 17 (left) & 18, south of Berryman Street and east of Grove Street (Sanborn map, 1903)

### William H. & Esther L. "Etta" Payson

The Payson House was the fourth dwelling erected in the neighborhood, and the first on its block. Prior to building this house, the Paysons, who married in 1885, resided for two years on Fulton Street, between Dwight and Channing ways.

**William Hawes Payson** (1855–1914) was born in Boston and grew up in Fairmount, a predecessor to Hyde Park, Massachusetts. His father, Jesse Wentworth Payson (1815–1899), was the nation's foremost penmanship expert. At a time when handwriting was the means by which most documents were created, Jesse W. Payson's copybooks were used in schools throughout the United States. Head of the Payson, Dunton & Scribner publishing house and author of *The Payson, Dunton, & Scribner Manual of Penmanship* (still in print today), Jesse Payson was one of Fairmount's 20 founders in 1855. His biography in the *Fairmount Bulletin* recounts:

Jesse W. Payson was born Nov. 6, 1815, in Hope, Me., and died in Hyde Park Sept. 17, 1889. He was educated in the common schools of that town, and in the Waterville Institute. As an author of writing books his name became a household word in this country. He it was who first gave to students a scientific analysis of script writing, and he originated the lithograph copy for common school writing books. From 1861–1877 Mr. Payson was a member of the Faculty at the Polytechnic Institute, Brooklyn, N. Y. As professor of penmanship and bookkeeping he taught thousands of pupils, among them many of the distinguished men of the

country, including President Eliot of Harvard College, and ex-Mayor Seth Low of New York. He was the Secretary and one of the Directors of the Park Bank in Brooklyn for several years. Mr. Payson was the author of a popular series of works on bookkeeping, and was called as an expert to adjust accounts in important cases. Mr. Payson's skill in writing brought him many medals, including one given at the Centennial in Philadelphia. He was a man of generous impulses, and advanced in his christian [sic] views. At the twentieth celebration of Hyde Park anniversary in 1888, he responded to the toast "The Twenty Associates." Mr. Payson's first wife died at Union, Me. His second wife, well known in the world of letters, died in Hyde Park in 1906. He had two children, W. H. Payson, now of San Francisco, and Mrs. Matilda Cushing, a former Fairmount school teacher, who married again, moved to Maine and is now deceased.<sup>15</sup>



Figure 52. Jesse Payson (in "Hyde Park")<sup>16</sup>

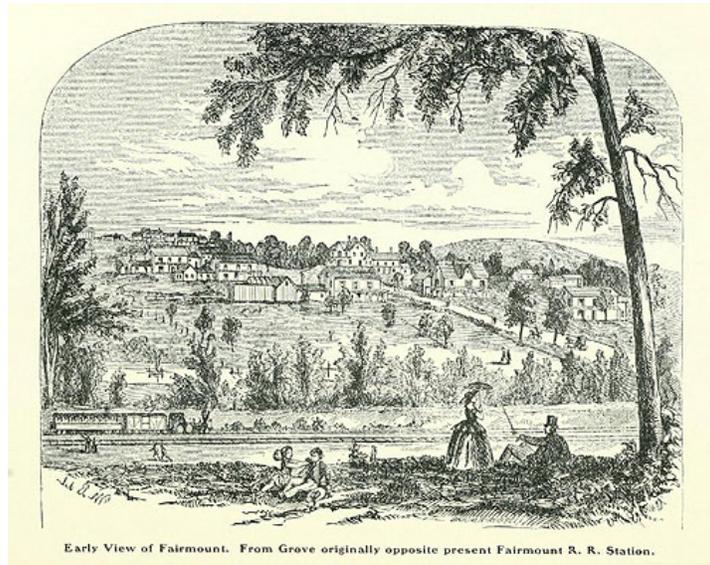


Figure 53. Early view of Fairmount (The Fairmount Bulletin, 1906)

Young William attended the Boston Public Latin School in the class of 1870. He went on to the Brooklyn Collegiate and Technical Institute while his father was teaching there and obtained his B.A. in 1876. Returning to Massachusetts, he enrolled at the Boston University School of Law, receiving his LL.B. degree in 1880. Poor health compelled him to move to California, where he practiced law, co-founded the First Unitarian Church of Berkeley, and fought against corruption in politics. The following obituary and a eulogy by Professor William Carey Jones were published in the *Pacific Unitarian* shortly after Payson's death:

#### **William H. Payson.**

Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of

<sup>15</sup> "Twenty Associates" in *The Fairmount Bulletin*, Vol. II, No. 1, April 1906, p. 12.

<sup>16</sup> Anthony Mitchell Sammarco. *Hyde Park*. Arcadia Publishing, 1996.

the Pacific Coast Conference. He was also a member of the Board of Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.

He was born February 16, 1855, in Boston, his father being the head of the old publishing firm of Payson, Dutton [sic] & Scribner. He obtained his education in Boston, studied law, and was admitted to the Bar in Boston before he came to California.

Owing to ill health and threatened tuberculosis, he was compelled to leave that climate, and came to California in a sailing ship around the Horn, arriving here in 1881. This voyage dissipated the germs of tuberculosis, but he never was a robust man, in fact it is remarkable how much work he was able to accomplish with his weakened constitution. He was married in San Francisco on August 12, 1885, to Ella [sic] L. Tripp, who survives him.

He was deeply interested in all public matters, always as a reformer, and social problems always had his best thought. He was a quiet, persistent worker, always contending for right, truth and justice, and he abhorred fraud, oppression and wrong, but he never was bitter, nor did he ever create any antagonism, but as was said by Frank J. Heney,<sup>17</sup> in a letter just received by Mrs. Payson, "he was a gentle but courageous soul."

His death was wholly unexpected and preceded by no illness that kept him from his work. The end came without warning from heart failure, on the morning of September 5th.

The funeral service from the church at Berkeley was particularly impressive and tender. It was conducted by the minister, Rev. Arthur Maxson Smith. Rev. F. L. Hosmer spoke with tender feeling, voicing his respect and debt of gratitude, and Professor William Carey Jones, a long-time friend and co-worker, paid this well-merited tribute to his worth and character.

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"William H. Payson, good lawyer, good citizen, good church member, good friend, good man, was directed in all the relations of life by the spirit of righteousness. An able and successful lawyer, he was well grounded in the principles of human right, and pursued his calling to the end of attaining justice and never more than justice. Litigiousness was ever far from his field of thought. A satisfactory, permanent and human adjustment of conflicting claims was always his aim. His fine soul abhorred vice and wrongdoing, but his generous spirit was tolerant of the shortcomings of his fellow men.

"He was an active participant in the Commonwealth Club of California, of the City Club of Berkeley, of the Unitarian Club of California, and of the Berkeley Unitarian Club. He was zealously concerned in all the broader civic purposes fostered by these organizations. The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated. A more congenial sphere, it seems to me, however, was within the field of politics. He did not wait for the presence of the spiritual movement manifest in the present century, which is bringing about a nobler view of political obligation. His work, his constant, though unobtrusive endeavor during thirty years, was with and of those who have produced the

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<sup>17</sup> Francis J. Heney was the District Attorney who prosecuted corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef following the 1906 Earthquake and Fire.

conditions resulting in the purer political atmosphere of today. The wisdom of his counsel and the safety of his leadership were apparent on all occasions.

“His energetic promotion of the League of Justice and his high position therein, contributed to the sounder morals of civic, political and business consciousness in the State of California. Herein Mr. Payson’s singleness of aim, high-mindedness, humaneness and generosity, were most abundantly exemplified. Among the many who joined that crusade, some became self-seekers, some were drained dry of the milk of human kindness, some became embittered, envious, vindictive, venomous. But never for a moment did he lose his high ideals, and while seeking to encompass the great purpose of the crusade looked with pity or sympathy upon his less sincere and noble fellow men.

“He was one of the founders of the First Unitarian Church of Berkeley, and during many years was a trustee thereof—being frequently the President of the Board. Eminently practical in all his counsels for the development of our society, there was a piety and a religiousness of spirit that animated all his work. He was the wise adviser in the progress of the church from its first beginnings in the room underneath Odd Fellows Hall on Addison Street, to its temporary lodgment in Stiles Hall, and its final settlement in its present house of worship. He has been President of Unity Hall Association, and has been one of the leading agents in enlarging the scope of the church’s work through the acquisition of the Unity Hall property. His promotion of the objects of the Unitarian Clubs in San Francisco and Berkeley have been inspired partly by his interest in civic improvement and partly by his earnest intent to advance a simple and sincere religious tone through the community. His fostering of the Unitarian School for the Ministry, and his participation in both local and national conferences of the Unitarian fellowship speak for his devotion to the general cause of liberal Christianity.

“As friend and man, his sympathies and relations were no different from what they were in various social groups. In the closest intimacies of friendship; in the church board meetings; in the congregation, whether in business or social gathering, or on formal occasions; in club meetings, civic, political, religious, he was always just the same simple, upright soul. There were with him never two ways of looking at conduct—a social and a personal. His was always the conduct of man to man.

“Good friend, noble man—your memory shall linger with us as an inspiration and a benediction.”<sup>18</sup>

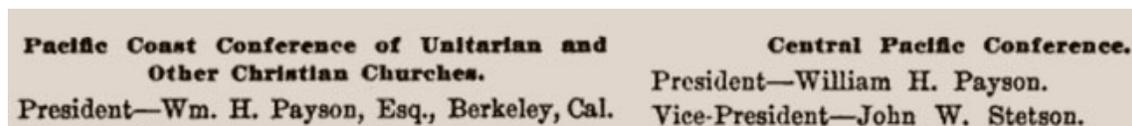


Figure 54. *The Pacific Unitarian*, October 1907

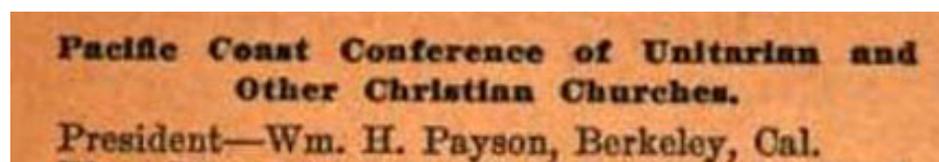


Figure 55. *The Pacific Unitarian*, October 1910

<sup>18</sup> *The Pacific Unitarian*, Vol. XXII, No. 12, October 1914, pp. 320–321.

<https://archive.org/details/pacificunitarian2219131914willb/page/n369/mode/2up>



Figure 56. Isaac Tripp (courtesy of Bob Waldman)<sup>19</sup>



Figure 57. Etta Tripp (Rieman & Co., San Francisco)<sup>20</sup>

**Esther L. “Etta” Tripp** (1863–1947), the daughter of California pioneers, was born on a farm in Butte City, near Jackson, Amador County. Her father, Isaac Tripp (1829–1870), was a founding member of the Amador Agricultural Society and an award-winning fruit grower. At the first Amador County Fair, held in October 1862, Isaac Tripp exhibited the following varieties:

Grapes—Black Hamburg, Black Morocco (very large), White Muscat of Alexandria  
Apples—Baldwin, King, Pelton Smith cider; Roxbury russet, Rambo, twenty ounce  
Pears—Bartlett, Winter Nellis, Stevens’ Genessee  
Quince—Orange  
Blackberry wine; elderberry wine.<sup>21</sup>

At the second annual fair, it was reported,

The largest number and variety was the contribution of Isaac Tripp, consisting of no less than thirteen varieties of apples, five of pears, eighteen of grapes (as fine as any we have ever seen) and some fine quinces. [...]

Mr. Tripp also contributed specimens of blackberry wine and grape wine, which our taster pronounced unexceptionable, even to a Templar, being the “pure juice” unadulterated — such as “maketh the heart glad.”<sup>22</sup>

<sup>19</sup> <https://www.findagrave.com/memorial/21719868/>

<sup>20</sup> <https://www.ancestry.com/family-tree/person/tree/71374321/person/350146103944>

<sup>21</sup> “Amador Agricultural Fair.” *Sacramento Daily Union*, 14 October 1862, page. 1.

<sup>22</sup> *California Farmer and Journal of Useful Sciences*, 2 October 1863.

Isaac Tripp died prematurely while working his mining claim. On 28 May 1870, the *Jackson Ledger* reported:

On Friday, the 20th inst., our citizens were shocked to hear that Isaac Tripp, one of our most estimable citizens, had been killed. He was mining in the Butte Basin, and while working under a bank with a hydraulic pipe a large mass of earth became detached, and without a moment's warning, fell, burying him under it. The only person near him was a Chinaman, who immediately gave the alarm, when parties went to his relief, and arriving at the spot could see nothing but a mass of earth. The hydraulic pipe was immediately turned on, and in about ten minutes his lifeless remains were unearthed. The Chinaman, being a few feet below him at the time, escaped uninjured, though the dirt came around him pretty thick.

Isaac's widow, Irene (Park) Tripp, remarried in January 1875, when Etta was twelve years old. The new husband, a pioneer Siskiyou County farmer named Edward White Conner, was a widower with five sons aged six to 16. Irene brought her youngest child, Helen, to her new home, where both were enumerated in the 1880 U.S. Census. The other Tripp children appear to have been scattered. Etta was informally adopted by Judge Harmon J. Tilden (1824–1916) and his wife, Mary Jane (1830–1911), of San Francisco. The 1880 U.S. Census enumerated Etta as an adopted daughter of the Tildens, residing with them at 1132 Valencia Street, along with the Tildens' son, Charles Lee Tilden (1857–1950), who would become first president of the East Bay Regional Park District. It is not clear whether there was a blood connection between the Tripps and the Tildens, but Etta's older brother's middle name was Tilden.

William Payson and Etta Tripp were married on 12 August 1885 and built their house in 1889. The contracting firm was Lord & Boynton, one of Berkeley's most prominent at the time. During the same year, Lord & Boynton built the Peralta Park Hotel for famed actor Maurice B. Curtis, as well as Curtis's own home and other prestigious projects.<sup>23</sup>

On 12 July 1891, two years after moving into the new house, William Payson co-founded the First Unitarian Church of Berkeley. Two weeks later, when the church's first board of trustees was elected, Payson was voted in as the first secretary.

Another member of that first board of trustees was Prof. Henry Senger, for whom another noted Unitarian, Bernard Maybeck, would design a house in 1907.

Bernard and Annie Maybeck soon followed the Paysons to their remote neighborhood.<sup>24</sup> In April 1892, the Maybecks were reported to be building a cottage on the corner of Gilman and West streets (now Berryman and Martin Luther King, Jr., Way).<sup>25</sup> The Maybeck house, which Charles Keeler described as "a distinctly hand-made home," must have made an impression on the neighbors and influenced them to shingle the exteriors of their own homes.

<sup>23</sup> Daniella Thompson. "Peralta Park Grew in the Shade of Giants." 2006.

[http://berkeleyheritage.com/eastbay\\_then\\_now/peralta\\_park1.html](http://berkeleyheritage.com/eastbay_then_now/peralta_park1.html)

<sup>24</sup> Daniella Thompson. "Maybeck's First House Was a Design Laboratory." 2007.

[http://berkeleyheritage.com/berkeley\\_landmarks/maybeck\\_on\\_grove.html](http://berkeleyheritage.com/berkeley_landmarks/maybeck_on_grove.html)

<sup>25</sup> *Berkeley Daily Advocate*, 28 April 1892.

Like the Paysons, the Maybecks were the only residents on their block for a number of years.



Figure 58. Bernard & Annie Maybeck House in 1902  
(Dimitri Shipounoff collection, BAHA archives)

In January 1894, the *San Francisco Morning Call* reported that the trustees of the First Unitarian Church were about to “raise funds for the erection of a new church edifice by the issue of bonds at a low rate of interest.”

A short time ago a fine lot, 150 by 170 feet on the corner of Bancroft way and Dana street was purchased. It is on this site that the new church edifice will be erected. It will be of stone and as fine in its way as the Unitarian Church of Oakland. The cost will not be less than \$20,000. Architect Maybeck is now at work on plans and designs for the new church, and they will be considered by the trustees in the immediate future.<sup>26</sup>



Figure 59. First Unitarian Church (A.C. Schweinfurth, architect, 1898)

<sup>26</sup> “A New Church.” *The San Francisco Morning Call*, 29 January 1894, page 3.

The \$20,000 was never raised, and Maybeck's plans were not executed. When the new church, designed by Albert Cicero Schweinfurth, was finally built in 1898, the estimated cost was reported to be a modest \$3,695.<sup>27</sup>

William Payson fostered the Pacific Unitarian School for the Ministry (later renamed Starr King School for the Ministry), founded in 1906, and acted as trustee on the school's first board.<sup>28</sup>

In addition to his leadership of numerous Unitarian organizations and endeavors, William Payson was a tireless political reformer, fighting for fair voter representation<sup>29</sup> and active in the anti-graft movement that led to the prosecution of corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef.<sup>30</sup> Francis J. Heney, who prosecuted Schmitz and Ruef for bribery, called Payson "a gentle but courageous soul."<sup>31</sup>

In about 1892 or '93, Etta's mother, Irene A. Conner (1831–19??), and the latter's youngest daughter, Helen S. Tripp (1870–1903), arrived in Berkeley. Helen was assessed in 1893 on a cottage adjacent to the Payson House. The shingled one-story cottage still stands at 1234 Bonita Avenue. Irene and Helen were first listed in the Berkeley directory in 1894. The 1900 U.S. Census enumerated them as residing in the Payson household.

Helen Tripp, who worked as a stenographer, died on 26 March 1903 in a homeopathic sanatorium. The cause of death was acute nephritis, brought about by diabetes mellitus. A few weeks before her death, Helen's cottage was sold to Ernestine Wollenberg, daughter of San Francisco merchant Louis Wollenberg and his wife Fanny. The Wollenbergs brought their five children to Berkeley so that they could be educated here. The family lived at 1234 Bonita Avenue until 1912.

Louis Wollenberg (1841–1910) is best known today as the great-grandfather of Berkeley historian Charles Wollenberg, who recounted an oft-heard story in a recent e-mail:

I believe the Maybecks lived around the corner, and they became friendly with my great grandfather. Bernard Maybeck apparently helped him do some carpentry on the cottage. My great-grandfather had immigrated from Germany in the late 1850s and, during the next 40 years or so, failed in several business ventures in the West. But he had a reputation for telling good stories of his real or imagined western adventures to the neighborhood kids. There's a legend in both the Maybeck and Wollenberg families that when their son was born, Annie and Bernard refused to name him, allowing him to choose his own name when he was 6 or 7. When the time came, "Boy" Maybeck said he'd like to be named Wollenberg, after the old man who told such neat stories. This was a bit too much for his parents, but they compromised and agreed to the name Wallen. I guess the fact that the story is told in both families gives it some credibility.<sup>32</sup>

<sup>27</sup> *The San Francisco Call*, 27 May 1898, page 9.

<sup>28</sup> "Berkeley to Have School for Unitarian Ministry." *The San Francisco Call*, 13 May 1906, page 12.

<sup>29</sup> "Citizens Denounce Courthouse Ring." *The San Francisco Call*, 18 July 1908, page 5.

<sup>30</sup> "Flays Nieto for Shielding Ruef." *The San Francisco Call*, 2 February 1908, page 32.

<sup>31</sup> In a condolence letter to Etta Payson, quoted in Payson's obituary published by *The Pacific Unitarian*.

<sup>32</sup> Charles Wollenberg in an e-mail sent to the recorder on 19 May 2020.



Figure 60, Tripp-Wollenberg cottage, 1234 Bonita Avenue (Google Street View)

In 1904, there was no listing for the Paysons in the Berkeley directory. Instead, the occupants of 1915 Berryman Street were Ross Morgan (1867–1917), a civil engineer, and his wife, the artist Charlotte Elizabeth Bodwell Morgan (1867–1947), a noteworthy member of the Carmel and Berkeley art colonies.<sup>33</sup>



Figure 61. Carmel Mission by Charlotte Morgan (Bodega Bay Heritage Gallery)

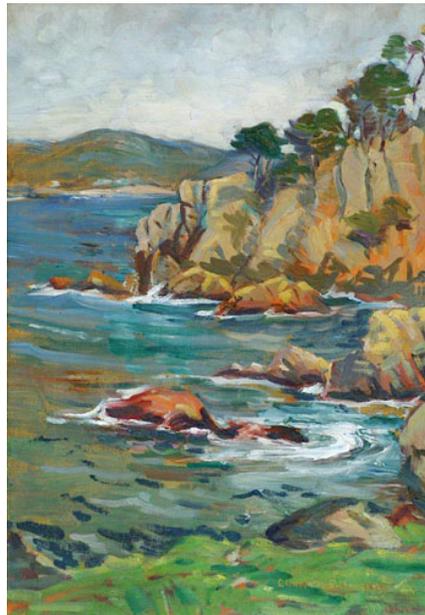


Figure 62. Carmel Coast by Charlotte Morgan (Bodega Bay Heritage Gallery)

<sup>33</sup> Charlotte Morgan's biography was published in *Jennie V. Cannon: The Untold History of the Carmel and Berkeley Art Colonies, Vol. 1* by Robert W. Edwards (Oakland: East Bay Heritage Project, 2012). <http://www.tfaoi.com/cm/10cm/10cm111.pdf>

William Payson died on 5 September 1914, aged 59. After his death, Etta went to live with the misses Katherine and Bertha Brehm in their house at 2709 Benvenue Avenue. Bertha Brehm, a music teacher, was the Unitarian Church's first organist.



*Figure 63. The organ at First Unitarian Church (BAHA archives)*

By 1920, Etta Payson had moved again. She was now living with the Charles Lee Tilden family in their villa at 1031 San Antonio Avenue, Alameda. Later in that decade, she settled in Alaska, where her elder brother, Herman Tilden Tripp (1859–1939), a mining engineer and politician, had been living since 1898. Following Herman's death, Etta returned to Berkeley, where she spent her last years in an apartment at 2649 Benvenue Avenue.

### **Neighborhood growth**

As late as 1906, the Paysons and the Wollenbergs were the only residents on Block 2449. Limited public transportation to the area delayed development of northwest Berkeley.

In 1899, William J. Dingee's Map of Oakland and Vicinity (Fig. 64), which showed real estate and electric railways of the Realty Syndicate, revealed a single train track on Shattuck Avenue that terminated at Rose Street.

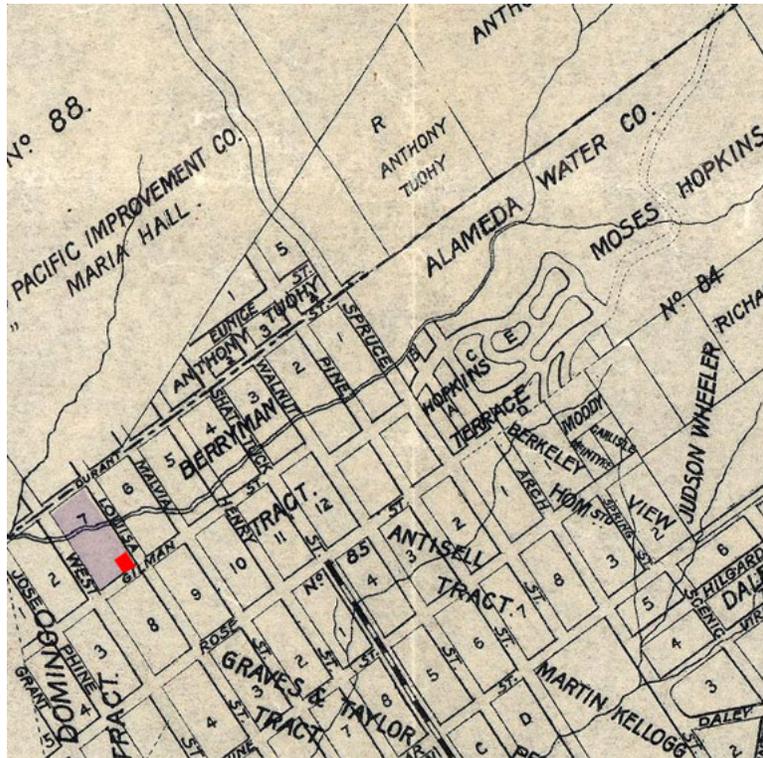


Figure 64. Dingee's Map of Oakland & Vicinity, 1899<sup>34</sup>

It wasn't until 1903, when the Key System of electric streetcars was introduced in Berkeley, that building in the Berkeley Villa Association tract gained momentum. Mass migration of San Franciscans to the East Bay in the wake of the 1906 Earthquake and Fire accelerated building activities, as Berkeley's population tripled from 13,214 in 1900 to 40,434 in 1910.



Figure 65. Kelly Flats (c. 1904), 1939-45 Berryman Street at Milvia

<sup>34</sup> David Rumsey Map Collection.

In January 1912, the opening of the Northbrae Tunnel for service enabled Southern Pacific electric trains to run north beyond Rose Street, providing an additional transport option for the growing suburban districts.

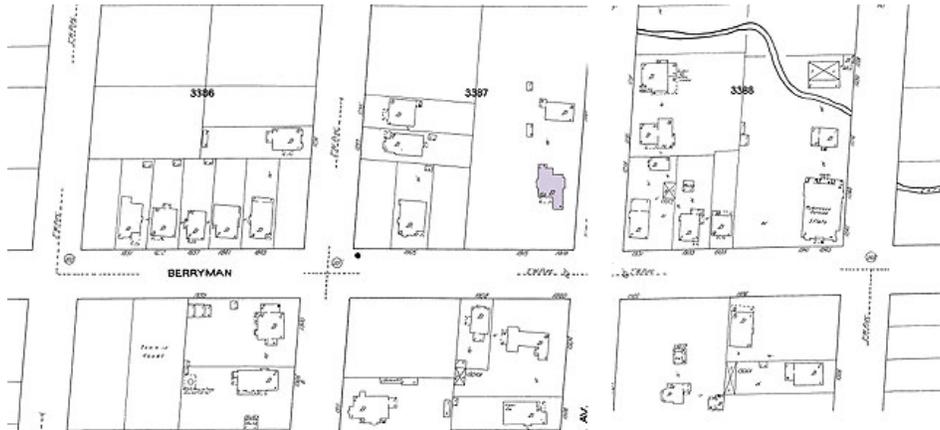


Figure 66. The neighborhood in 1911 (Sanborn map)

A real-estate map published by Lederer, Street & Zeus in 1914 (Fig. 67) shows three commuter transport lines in the vicinity of the Payson House.

The orange line running along Sacramento and Hopkins streets represented the Key Route's commuter line; The red line running on Grove Street and The Alameda stood for the local streetcar lines that crisscrossed Berkeley; and the green line, which ran on Shattuck Avenue, Sutter Street, and through the Northbrae Tunnel, represented the Southern Pacific Railway.

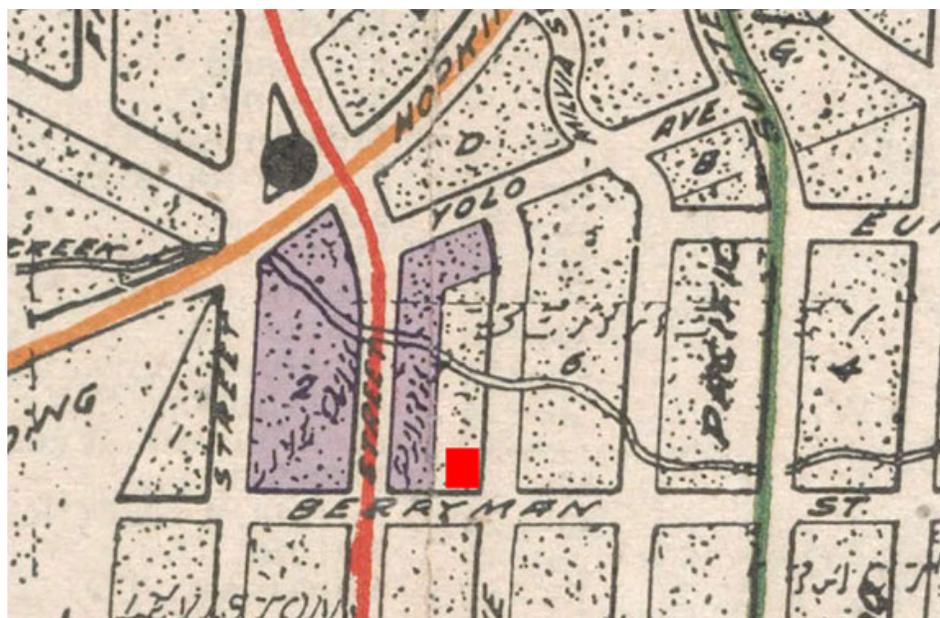


Figure 67. Public transport lines and proposed Live Oak Park site near the Payson House (Lederer, Street & Zeus Map of Berkeley & Vicinity, 1914)

An interesting detail in the Lederer, Street & Zeus map is the siting of the proposed Live Oak Park directly to the west of the Payson House,<sup>35</sup> or three blocks away from where the park would actually be established after the city purchased the O'Toole and Penniman estates in 1914.<sup>36</sup>

The 1920s saw the neighborhood become almost fully built up. The 1929 Sanborn map shows mostly single-family residences but also half a dozen flats, the largest of which remained the Catherine & Francisco Kelly Flats, a Mission Revival structure, built c. 1904 on the northwest corner of Berryman and Milvia streets (Fig. 65).



Figure 68. The area in 1929 (Sanborn map)

### Lord & Boynton, builders of the Payson House

The construction firm of Lord & Boynton was short-lived, but it managed to make a deep impact during its brief existence. This company was created when two pioneer Berkeley builders—both civic leaders—came together to undertake a gigantic number of projects that no single contractor could have handled.

**Carlos Reuben Lord** (1831–1914) was born in Aurora, Ohio, where his parents had come from New England. His father was a well-to-do farmer, but by the age of 18, Carlos was no longer living at home, possibly because there were six younger siblings in the house. The 1850 U.S. Census enumerated him as having attended school within that year and residing with an Aurora farming couple in their early twenties.

In 1854, Carlos Lord married Lucia Almira Stocking (1832–1928). By 1860, the couple had moved to Jefferson, Missouri, where Carlos was listed as a wagon

<sup>35</sup> The park plan shown in the map included Block 2 in the adjacent Jose Domingo Tract.

<sup>36</sup> Susan Schwartz. A History of Berkeley's Live Oak Park. 2014. <http://www.bfp.org/wp-content/uploads/LiveOakPark.pdf>

maker. The Lords now had a son, 4, and a daughter, 2. In 1870, now living in Cameron, Missouri, Carlos worked as a clerk in a store and was a father to five children aged 2 to 14.

Carlos Lord was first registered to vote in Berkeley on 18 February 1878. That year, he was listed in the Berkeley city directory as Charles R. Lord, carpenter, resident on the north side of Vine Street, between Spruce and Pine (now Oxford) streets.

The following sketch of Lord's life was published in the *San Francisco Morning Call* in November 1894. Running for the office of Justice of the Peace in Berkeley, Lord was nominated by the Alameda County Non-Partisan Convention, whose candidates the newspaper called "a splendid list," "good men all," and "animated by unselfish sentiments."<sup>37</sup>

#### C. R. LORD.

##### A Citizen of Berkeley Who Commands Confidence.

C. R. Lord, past commander of Lookout Mountain Post, G. A. R. of Berkeley, was born in Ohio, December 12, 1831, and was educated in the public schools of that place. At the call of President Lincoln he enlisted in the First Missouri Cavalry, U. S. A., and served about two years and was honorably discharged for disability. After the war he was appointed Postmaster under President Lincoln. He was elected Justice of the Peace at Alta Vista, Davis County, Mo. He came to California in 1874, remained in San Francisco for three years, and came to Berkeley in 1877, one year before Berkeley was incorporated, having resided there since. He has served the town as Justice of the Peace six years, as Marshal and Tax Collector, ex-officio Superintendent of streets, two years, as Trustee three years, and at this time is the nominee of the Non-Partisan convention of Alameda County for the office of Justice of the Peace for the town of Berkeley.



Figure 69. Carlos Reuben Lord  
(*SF Morning Call*, 5 Nov. 1894)

Carlos Lord became involved with the nationally famous stage actor Maurice B. Curtis ("Sam'l of Posen") when the latter was beginning to develop the Peralta Park tract. In May 1888, Lord was named one of the directors of the just-incorporated Peralta Park Hotel Company.

The Peralta Park Hotel Company has incorporated to purchase an eligible site in Peralta Park tract in Oakland township, near Berkeley, and to erect and maintain a hotel to be known as the Hotel de Peralta, and also to deal in property connected with the enterprise. The Directors are: M. B. Curtis, A. P. Gunn, C. R. Lord, A. H. Emery, C. A. Goodwin. The

<sup>37</sup> "Good Men All." *The San Francisco Morning Call*, 5 November 1894, page 4.

capital stock subscribed is \$37,775. There are sixty-nine subscribers to the enterprise.<sup>38</sup>

In July 1888, Lord was awarded the hotel's construction contract:

The contract has been signed by C. R. Lord and the Peralta Park Hotel Company for the construction of the hotel. Mr. Lord will commence work at once, and hopes to have the building completed by January 1, 1889.<sup>39</sup>

It was in the latter half of 1888 that Carlos Lord and Ira Boynton joined forces to construct an impressive number of large projects that included not only the hotel but several large residences in Peralta Park, various houses in other parts of town, and buildings for the town's two lumber mills. In early December of 1888, the *Berkeley Herald* announced:

Mssrs. Lord & Boynton have their hands full. They have commenced the erection of a ten-room house in Peralta Park for Alfred Lueders of San Francisco. It will cost \$4,500. For Joseph Hume also they will build a \$2,500 dwelling on Dwight Way.<sup>40</sup>

**Ira Alton Boynton** (1844–1921) was born in Jefferson, Maine to Amos and Rachel (Decker) Boynton. His father was a Baptist clergyman. In 1868, Ira married Canadian-born Margaret Salmon Fielding in Chelsea, Massachusetts. Their first child, Emma, was born in Illinois the following year.

According to his obituary in the *Berkeley Daily Gazette*, Ira Boynton came to Berkeley in 1877, but records show that he was already in Alameda County on 5 April 1875, when his second child, Laura, was born. In 1876, he was registered to vote in Alameda County's Fourth Ward, listed as a draughtsman. In 1878, he was listed in the Berkeley city directory as a carpenter living on Berkeley Way near Shattuck Avenue. By the following year, the Boyntons had moved to a new home, situated one block north, at 2032 College Way (now Hearst Avenue). Here they lived until 1895.



Figure 70. Ira A. Boynton

Like Carlos Lord, Ira Boynton was active in Berkeley's finance, municipal politics, and fraternal circles. In 1886, along with several other leading Berkeley businessmen, Lord and Boynton founded a bank.

<sup>38</sup> *Daily Alta California*, 21 May 1888, page 5.

<sup>39</sup> *Daily Alta California*, 23 July 1888, page 5.

<sup>40</sup> *Berkeley Herald*, 6 December 1888.

The Homestead Loan Association of Berkeley has filed articles of incorporation with the County Clerk. The Directors are C. R. Lord, John K. Stewart, Philip Monroe, Walter E. Sell, Otto Nichaws [Niehaus], M. M. Rhorer, George A. Embury, Ira A. Boynton and Clarence M. Hunt — all of Berkeley—and the capital stock is \$1,000,000, divided into 5,000 shares, of which 100 have been subscribed.<sup>41</sup>

Boynton also served as an elected official. In 1879, he was listed in the city directory as one of Berkeley's two Justices of the Peace. He ran again in 1886, but this time he fell short by two votes after a recount.

A. H. Morris, candidate of the Peoples' party for the office of Justice of the Peace of Berkeley, was dissatisfied at the announced result of the recent election, which gave the office to his opponent, Ira A. Boynton, by a majority of seven votes. Morris appealed to the Town Trustees, who sat as a Returning Board Wednesday evening and recounted the ballots, a privilege accorded by a section of the town charter. President Henley and Trustees Shattuck and Whitney were present. The result was that four votes were changed to Morris' account from Boynton's, thus giving Morris the office by a majority of two votes. Boynton was the candidate of the Citizens' Reform party.<sup>42</sup>

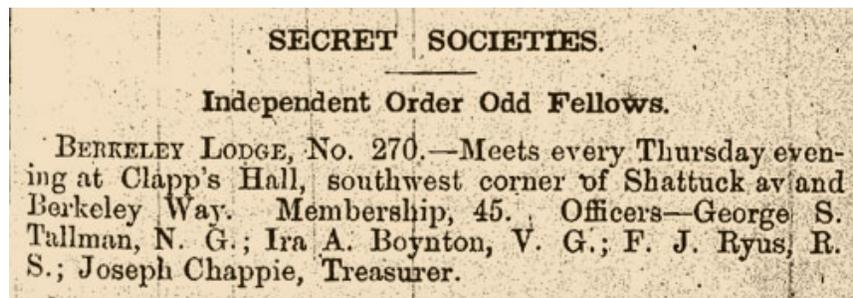


Figure 71. Bishop's Berkeley Directory, 1879-80

Boynton was a charter member of the Independent Order of Odd Fellows, Berkeley Lodge, No. 270 and also served as Chief Patriarch of the Oakland Encampment, No. 64 in the mid-1880s.<sup>43</sup> Members of the Berkeley Lodge met weekly at Clapp Hall, located around the corner from the Boynton residence. In 1884, the chapter incorporated a hall association in order to raise funds for a building of its own. Boynton was one of the five directors.

Articles of incorporation of the Berkeley Odd Fellows' Hall Association have been filed with the County Clerk. The capital stock is \$10,000, divided into 10,000 shares of \$1 each. The Directors are Frederick M. Husted, Walter Powell, Thomas Hann, Ira A. Boynton and Philip Sheridan, all of Berkeley.<sup>44</sup>

<sup>41</sup> *Daily Alta California*, 3 March 1866, page 5.

<sup>42</sup> *Daily Alta California*, 15 May 1886, page 4.

<sup>43</sup> *Daily Alta California*, 26 July 1885, page 2.

<sup>44</sup> *Daily Alta California*, 16 April 1884, page 4.

By 1885, the Berkeley chapter of the I.O.O.F. had erected its new building on the southeast corner of Shattuck Avenue and Addison Street, across the street from Berkeley Station. Other fraternal societies, including the Free Masons, the American Legion, and the Grand Army of the Republic, also met at the Odd Fellows' Hall, as did the First Unitarian Church in its early days.



Figure 72. Odd Fellows' Hall (1885), Shattuck Avenue & Addison Street

Although he was a prolific builder, no records of Ira Boynton's building activities prior to 1884 have been found. In his obituary,<sup>45</sup> for which information was furnished by his daughter, Laura Durgin, it was claimed that Boynton had been associated with A.H. Broad. An oral history conducted by BAHA staff in the 1970s with Boynton's granddaughter, Muriel Durgin Backman, points out his association with Horace Kidder. Neither claim appears to have been documented in print during Boynton's life. The earliest contemporaneous records found of his work date from May 1884. These show a house for his neighbor S.C. Clark (presumably on Berkeley Way); another for Boynton himself; and a third for Professor Eugene W. Hilgard at the latter's agricultural experiment station in Mission San José (now Fremont).<sup>46</sup>

Boynton's name began appearing more regularly in contract and completion notices after he teamed up with Carlos R. Lord in 1888.

By the end of 1889, Lord & Boynton could boast a long list of prestigious Berkeley projects completed that year. Published on 2 January 1890 in the *Berkeley Herald*, the list was peppered with top-drawer clients and included the construction of the Peralta Park Hotel at a cost of \$85,000.

<sup>45</sup> "Berkeley Pioneer Dies in Seattle." *Berkeley Daily Gazette*, 4 January 1921.

<sup>46</sup> *California Architect & Building News*, May 1884, page 91.



Figure 73. Peralta Park Hotel (Cheney Photo Advertising Agency)

#### LORD & BOYNTON, BUILDERS

Niehaus Bros. & Co. Mill, West Berkeley	15,000
Geo. C. Pape Mill, East Berkeley	2,500
Mrs. R. G. Lewis, Peralta Park, 8-room house	4,000
M. B. Curtis, Peralta Park, 8-room house and improvements	4,500
Dr. Robert Macbeth, Peralta Park, 10-room house and improvements	6,900
Harry S. Thompson, Peralta Park, 9-room house and improvements	3,000
J. A. Luders [sic], Peralta Park, 10-room house and improvements	4,900
Miss Anita Fallon, Peralta Park, 7-room house and improvements	4,000
Jos. Hume, 5-room cottage, Fulton and Channing way	1,800
Jos. Hume, 2-story house, Haste street	2,300
Jos. Hume, Dwight way, 9 rooms	3,200
Jos. Hume, Walnut street, 5 rooms	2,000
N. S. Trowbridge, Durant avenue	3,300
W. A. Ristenpart, Bancroft way, 7 rooms	3,000
T. M. [sic] Luttrell, Channing way, 7 rooms	2,150
<b>L. H. [sic] Payson, Gilman street, 6 rooms</b>	<b>2,000</b>
W. T. Lingard, Walnut street, 5 rooms	1,800
J. L. Barker, Cedar street, 7 rooms	2,100
L. Gottshall, Center street, 2 stores, 8 rooms	4,000
Daniel McMahan, University avenue, 7 rooms, barn and improvements	3,400
Geo. C. Pape, University avenue, 8 rooms	4,000
Lord & Boynton, Berkeley way, 8 rooms	2,800
Fritz Meyer, Seventh and Bancroft way, 5 rooms	1,500
Chris Johnson, Fourth and Addison, 4 rooms	1,000
Dr. Cook, Peralta Park improvements	3,600
I. A. Boynton, College way, 6 rooms	2,000
H. W. Taylor, lumber yard office	500

Mrs DeLorme's improvements to house  
Peralta Park Hotel

500  
85,000

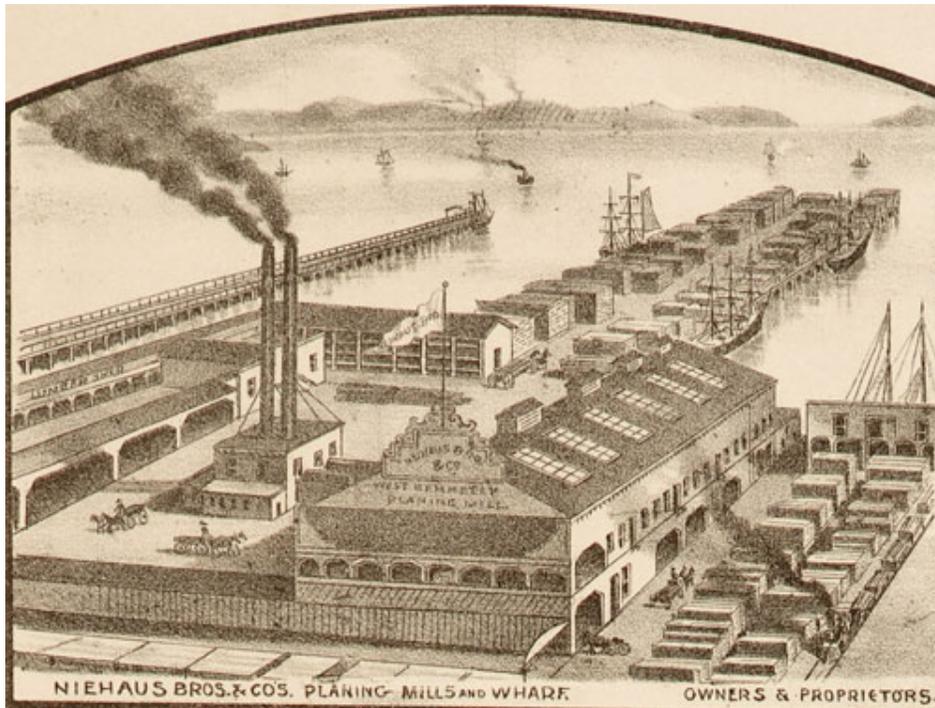


Figure 74. Niehaus Bros.' West Berkeley Planing Mill  
(Irwin & Johnson's *Birdseye View of Berkeley, California, 1891*)<sup>47</sup>

Despite their joint success, the Lord & Boynton partnership was short-lived. In 1890, the partners went their separate ways. That year, *Edwards Transcript of Records* published four projects carried out by Boynton without Lord.

Of the houses Lord & Boynton built together, only five, including the Payson House, are known to have survived. The other four are the Julius Alfred Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; the Harry S. Thompson House, 1491 Hopkins Street; and the James & Cecilia Luttrell House, 2328 Channing Way. No two of these surviving houses are alike.

### Later owners of the Payson House

#### Kimball G. Easton & Katherine O. Easton

In 1919, Etta Payson sold the house to Kimball Gushee Easton (1865–1925) and his wife, Katherine Olden Easton (1863–1940). The Eastons and their daughter, Esther Katherine, then a student at the University of California, were listed in the 1922 directory as residing at 1915 Berryman Street.

<sup>47</sup> Edwin S. Moore, publisher. Bancroft Library.  
<https://oac.cdlib.org/ark:/13030/tf9t1nc0rn/?brand=oac4>

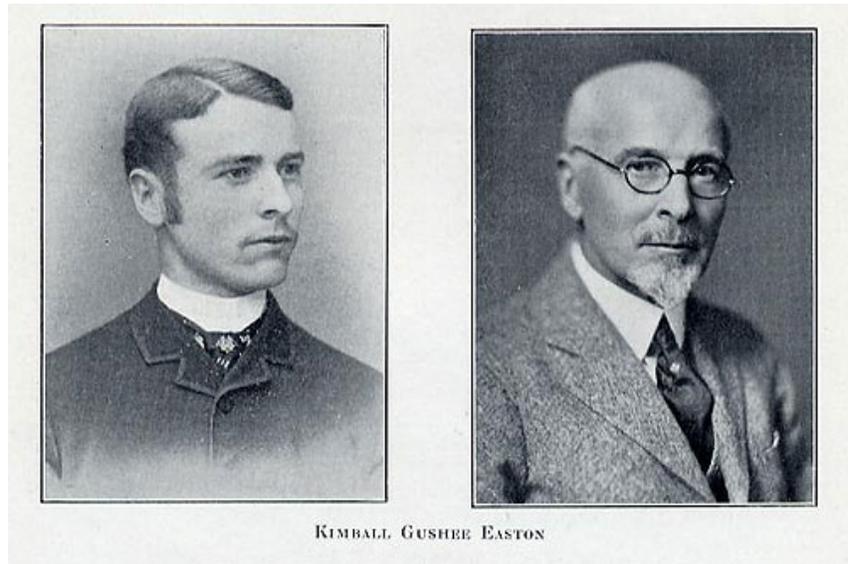


Figure 75. Kimball Gushee Easton as a student and in later life  
(*The Class of 1886 in 1926*)<sup>48</sup>

A biography of Kimball Easton appeared in the *California Historical Society Quarterly* shortly after his death.<sup>49</sup> The author was none other than Anson Stiles Blake, who wrote:

#### IN MEMORIAM

##### Kimball Gushee Easton

Kimball Gushee Easton, son of the reverend Giles A. Easton and Mary Gushee Easton, was born in San Francisco, September 25, 1865, and died suddenly in Berkeley, March 21, 1925. He spent his early boyhood in Benicia and attended the Episcopal School there. Later, when the family moved to Berkeley, he attended the Berkeley Gymnasium up to the time of entering the University of California. He earned the money to put himself through the University by working as a printer's devil and other odd jobs. While in the University he was active in journalism and was co-editor of the campus paper that developed into the "Blue and Gold." The first "Blue and Gold" to appear in book form was issued by his class and under his direction.

He graduated from the University in 1886. After graduation he went into the employ of The Oakland Paving Company, supervising as his first work the first pavement laid in Berkeley, on Dwight Way. A few years later, the late C. T. H. Palmer sought his assistance to rescue a paving company he had started in Los Angeles, and he removed there. After a few years he returned to Berkeley to live and formed a partnership with Arthur R. Wilson to carry on a general contracting business. When this partnership was dissolved he became associated with the firm of Bates, Borland and Ayer and continued with them until the time of his death.

He was married on October 4, 1892, to Katherine Olden who survives him. Three children were born of this union. Olden Alexander Easton who

<sup>48</sup> <http://freepages.rootsweb.com/~npmelton/genealogy/cal26inx.htm>

<sup>49</sup> <https://online.ucpress.edu/ch/article/4/2/214/30220>

died in infancy, Dorothea Alice Easton, now Mrs. Robert Harter, and Esther Katherine Easton.

Mr. Easton was an ardent lover of his native country and enjoyed the outdoor life it affords most thoroughly. He spent all of the time he could spare from his busy life in the cities, in the Sierra, where his little mountain ranch was the point of departure for many expeditions. He was also a student all his life and was well versed in the poetry of the English and French languages. He was one of the few in his generation who continued to read Latin and Greek literature for enjoyment only.

He was a member of the Society of California Pioneers and took a great interest in their affairs; and was, at the time of his death, one of their trustees.

ANSON S. BLAKE

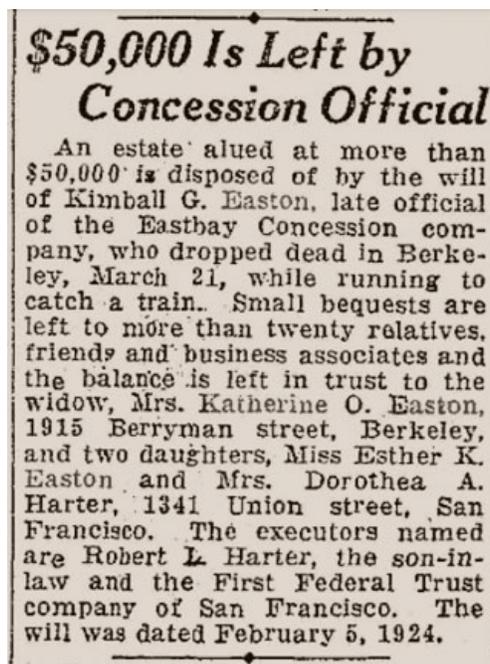


Figure 76. Oakland Tribune, 1 April 1925

Katherine Olden Easton was born in San Jose. In 1893, in San Francisco, she studied at the California School of Design, forerunner of the San Francisco Art Institute. In 1893, the school became affiliated with the University of California, was housed in the Mark Hopkins mansion atop Nob Hill, and became known as the Mark Hopkins Institute of Art.

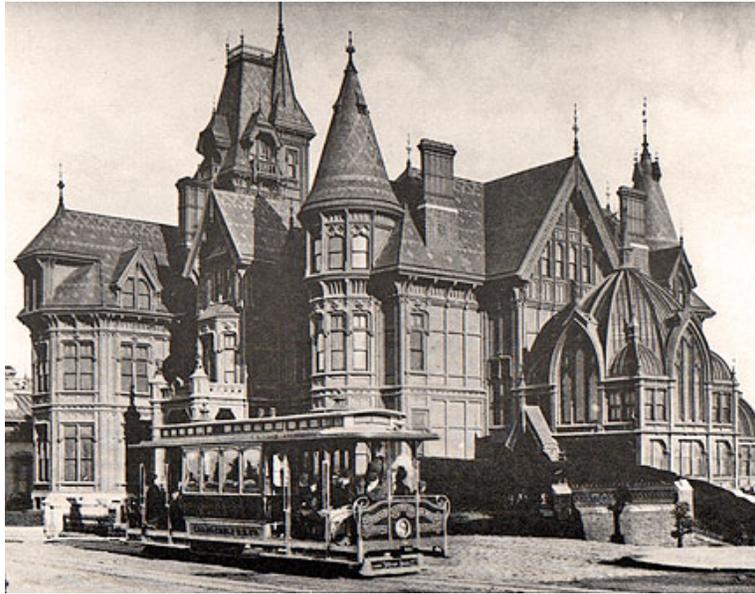


Figure 77. Mark Hopkins Institute of Art, San Francisco

Katherine Easton is listed in Edan Hughes's *Artists in California, 1786-1940* and in *Jacobsen's Biographical Index of American Artists* (2002). In 1909, she and co-author Sadie Bowman Metcalfe, also of Berkeley, copyrighted a modern drama in three acts titled *The Upheaval*. Her daughter, Esther Katherine Easton (1900–1980), was also an artist. As a student at the University of California, she was a member of the Delta Epsilon women's art honor society<sup>50</sup> Like her mother, Esther is listed in *Jacobsen's Biographical Index of American Artists*.

In 1928, Katherine and Esther were living with the married Payson daughter, Dorothea Harter, in a new house the Harters had built at 797 San Luis Road (future home of architect James W. Plachek). The 1930 U.S. Census taker found mother and daughter lodging on a farm in Groveland, outside Yosemite. Edan Hughes located Katherine in Carmel in 1933. That may be where she met Hattie G. Parlett, to whom she sold the Payson House about that time.



Figure 78. Esther K. Easton  
(1923 *Blue and Gold*)

### **Hattie G. Parlett & Adelene K. Lewison**

Hattie Goodrich Parlett (1871–1971) was born in Baltimore, Maryland. Her father, Benjamin Francis Parlett (1824–1884), established B.F. Parlett & Co., a

<sup>50</sup> 1923 *Blue and Gold, a Record of the College Year 1921-1922*.

wholesale tobacco business, in 1843, later adding a tobacco manufacturing facility in Danville, Virginia.

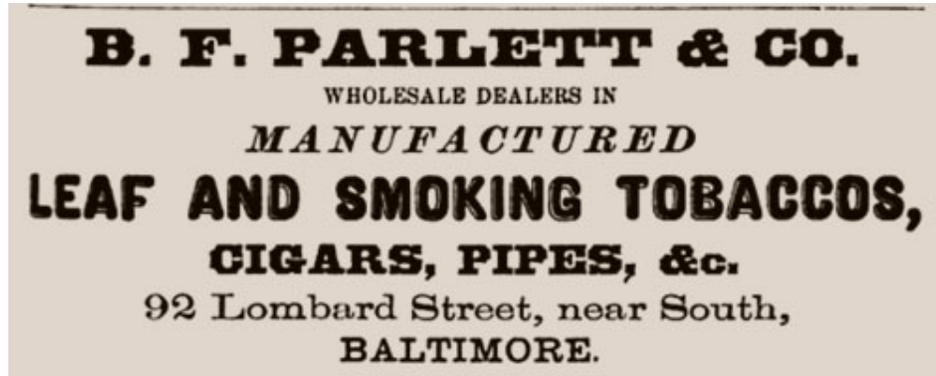


Figure 79. Ad in *"The Monumental City, Its Past History and Present Resources,"* 1873

Shortly after the turn of the century, Hattie and her mother moved to Mount Vernon, New York, where they were enumerated in the 1905 New York State Census. Hattie bred English toy spaniels. The American Kennel Club's official stud book of 1908 listed three of her prize-winning dogs: Baltimore Belle, Baltimore Best Girl, and Rosemary Calvert.

Hattie's mother died in 1912, freeing the 41-year-old Hattie to start a new life. She moved to Hartford, Connecticut and met Adelene Kneeland Lewison (1870–1951), the woman who would become her life partner. The two traveled widely during the 1920s, and by 1930 had come to live in Carmel, where they were listed as residing on Dolores Street, between Second and Third avenues. In the 1930 U.S. Census, the occupation of both women was listed as Art Needlework.

In Carmel's small art community of the early 1930s, it was natural for Katherine Easton and Hattie Parlett to have known each other. This may explain how, by 1935, Hattie and Adelene were the occupants of the Payson House, where Adelene continued to produce art needlework.

In 1939, the two women began sharing their home with Hattie's widowed niece, Isabel Carter Todd (Smith) Knipp (1890–1968), who arrived by ship from New York. Isabel probably lived on the second-floor, which at the time was still part of the main residence. In 1942, after Hattie sold the house to Harry and Ruth Miller and moved to Hayward, Isabel was still registered to vote at 1915 Berryman Street but soon found other accommodations in Berkeley.

### Harry V. & Ruth E. Miller

The Miller family and its descendants have owned the Payson House and lived in it for 78 years, beginning circa 1941–42.

Harry Vincent Miller (1891–1961) was born in Albany, New York, to a working-class family. His father was a house carpenter, and all the Miller children went to work after completing eight years of elementary school. One of Harry's elder sisters, Henrietta, worked as a clerk in a printing office, and an older brother apprenticed with a printer before becoming a house painter. Harry also went into the printing trade; at the age of 18, he was enumerated in the 1910 U.S. Census as a stereotyper, an occupation he practiced his entire working life.

During World War I, Harry served two years in the U.S. Marine Corps, exiting the service in October 1919 with excellent character. He moved to Colorado, where he married Ruth C. Earnest (1899–1986) in June 1922.

Ruth was born on a farm in Clifton, South Dakota. A year or so after her birth, the family moved to Lane County, Oregon. Ruth's father died in 1911, her mother remarried the same year and died in 1913, when Ruth was 13. Ruth was sent to live with her father's married sister, growing up on a farm in Martin, Kansas.

Harry and Ruth Miller married in Pueblo, Colorado. In 1930, they were living in Denver with their two young daughters, Betty Ruth, 7, and Helen Marie, 4. Harry was employed by the *Rocky Mountain News*. By 1940, they had relocated to Englewood, Colorado, where Harry earned \$1,800 a year from his stereotyping job at a local newspaper. The Millers' youngest child, Edward Earnest Miller, was then five years old. Harry's sister, Henrietta, was living with the family and working as a binder in a printing establishment. The family moved to the Bay Area in 1941.

In 1942, Harry Miller's World War II draft registration card documented him as living at 1915 Berryman Street and working for the *Oakland Post-Inquirer*. His obituary in the *Oakland Tribune*, however, stated that he had been a *Tribune* employee from 1941 until his retirement in 1958.

The Millers moved into their Berkeley house just as the United States entered World War II. During the war years, many houses in Berkeley were being converted into apartments in order to help house the influx of war-industry workers. That was when Harry Miller converted the house to two apartments, although the building permits leave a gap in the chronology.

Harry Miller died on 6 April 1961. The *Oakland Tribune* published his obituary the following day.

#### Death Takes H. V. Miller at Age 69

BERKELEY, April 7—Harry V. Miller, longtime Berkeley resident active in veterans' organizations, died yesterday in a Livermore hospital. Mr. Miller, 69, was a retired stereotyper and was an employee of The Tribune from 1941 to 1958. A World War I veteran, he was a member of the Veterans of Foreign Wars, Post 703, Berkeley; Disabled American Veterans, Chapter 7, Oakland; and American Legion Post 240, El Cerrito. He also was a member of St. Mary Magdalen Church, the Holy Name Society and the International Stereotypers and Electrotypers Union, Local 29, San Francisco. He lived for many years at 1915 Berryman St. and was a native of Albany, N.Y. Mr. Miller is survived by his widow, Ruth; daughters Mrs. Betty Ruth Geritz of Berkeley and Mrs. Helen Marie Petrash of San Lorenzo; a son, Edward E. Miller, Berkeley; sister, Henrietta Miller and brother, Frank, both of Albany, N.Y.; and 10 grandchildren. The Rosary will be recited at 8 p.m. today at the Berkeley Hills Chapel, Shattuck Ave. and Cedar St. A Requiem Mass will be said at 9:30 a.m. tomorrow at St. Mary Magdalen Church. Interment will be in St. Joseph's Cemetery, San Pablo.

On 25 October 1961, Ruth Miller deeded the property at 1915 Berryman Street to her three children, Betty Ruth Geritz (1923–2011), Helen Marie Petrash (1925–201?), and Edward Earnest Miller (1934–). Ruth died in 1986. The next principal

residents in the house were Helen Petrash and her husband John (1922–2016), an expert archer and scuba diver.

Helen Petrash died a few years before her husband. Their daughter, Paula, moved in to look after her father. In the photo below, they are shown at home a year before John’s death.<sup>51</sup>



Figure 80. Paula Petrash & her father (center) at home, 2015  
(courtesy of Joe Timmons, Aqua Tutus Club)

Until earlier this year, the property was jointly owned by no less than ten different trusts representing members of the extended Miller family. The heirs finally sold the family’s historic home this year, to a couple from Sunnyvale whose business model entails buying old houses, razing them, and constructing multiple units on the parcels. They have done so recently at 2212 Tenth Street.

### Chronology of the Payson House ownership

1889–1919	William H. & Esther L. Payson
1919–c. 1935	Kimball G. & Katherine O. Easton
c. 1935– c. 1942	Hattie G. Parlett
c. 1942–2020	Harry V. & Ruth E. Miller and descendants
2020–	Alon & Ravit Danino

<sup>51</sup> “In Memoriam, John Petrash.” Aqua Tutus, 25 October 2016.  
<https://aquatutus.org/in-memoriam-john-petrash/>

16. Context

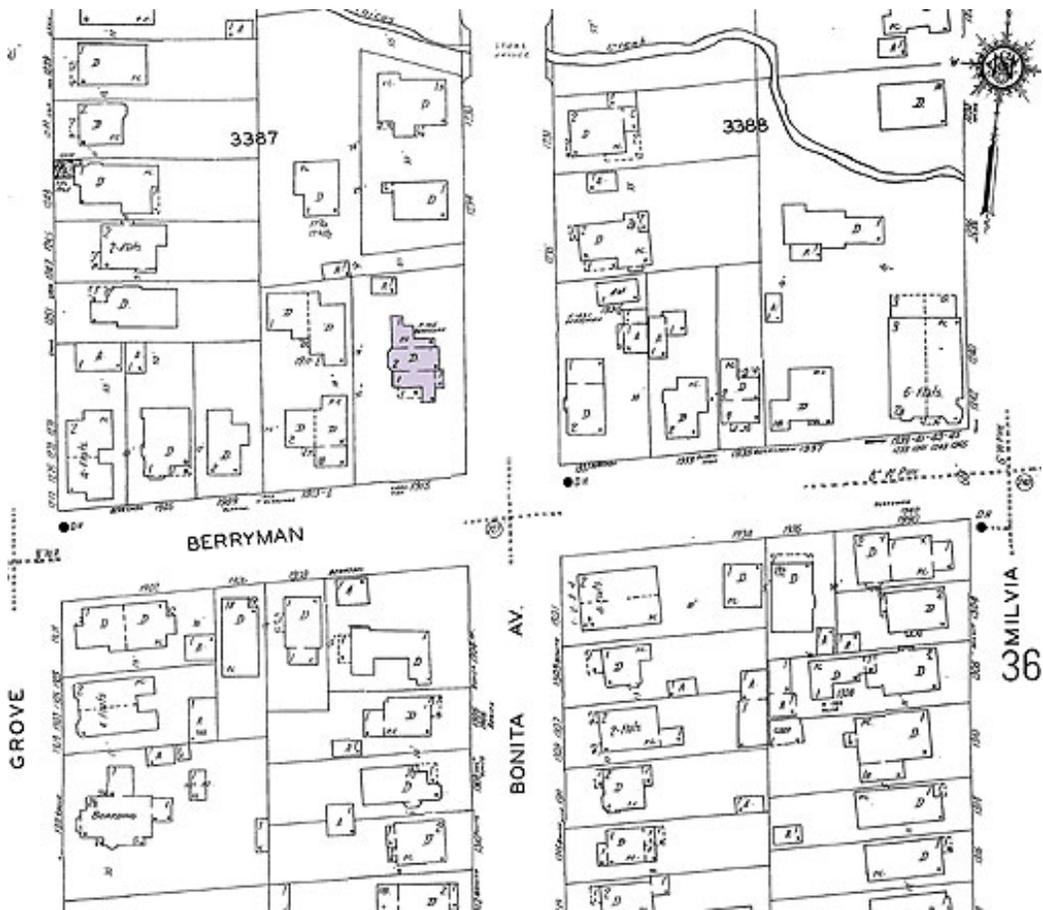


Figure 81. The neighborhood in 1950 (Sanborn map)



Figure 82. 1913 Berryman Street, 1971 (Donogh files, BAHA archives)

Between 1929 and 1950, there were few changes in the neighborhood. The most noticeable addition consisted of two new townhouses on the western half of the original Payson parcel, which had been subdivided prior to 1929. Each containing a pair of semi-detached units, these townhouses, 1911 and 1913 Berryman Street, were constructed in 1937 by the well-known architect Paul Hammarberg (1911–2009), who was also the owner.

The next change was more significant. In 1960, Grace Pinkerton, whose father had built the family’s Colonial Revival house at 1931 Berryman Street in 1903, moved to Marin County and sold the parcel as an “excellent location for multiple units. Zoned R-3 for 8–9 units.” That is exactly what was built there next.

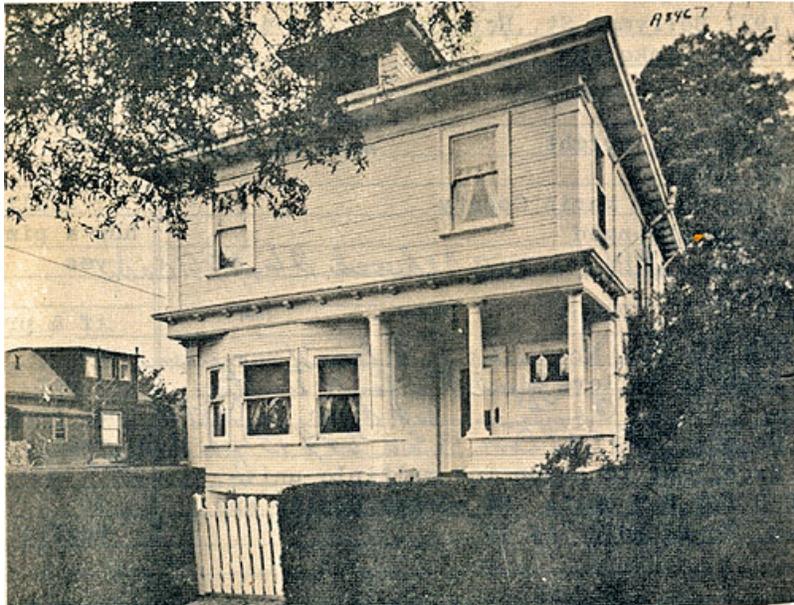


Figure 83. Pinkerton house, 1931 Berryman Street, in 1960 (Donogh files, BAHA archives)



Figure 84. Apartments, 1931 Berryman Street (Google Street View)

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No photograph has been found of the historic Frederick & Susan Berryman house (1888), which stood on the southwest corner of Berryman Street and Bonita Avenue. Susan Berryman died in 1935 at the age of 84. In 1966, the Berryman house was occupied by Clark Armstrong, an insurance executive. This house was torn down, along with two others—1906 Berryman (built in 1926) and 1908 Berryman (also owned by the Berryman family)—and replaced circa 1972 with a 24-unit apartment building that has aged badly and is a blight on the streetscape.



*Figure 85. 1906 Berryman Street (Donogh files, BAHA archives)*



*Figure 86. Raj Properties apartments, 1910 Berryman Street*

With the exception of the two large apartment buildings on the northeast and southwest corners of the Berryman-Bonita intersection, the neighborhood retains much of its historic character. One- and two-story residences in various

architectural styles, an abundance of trees, and the proximity of Codornices Creek give the area a decided bucolic air.



*Figure 87. 1200 block of Bonita Avenue, looking north (Google Street View)*



*Figure 88. 1200 block of Bonita Avenue, west side*

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*Figure 89. 1300 block of Bonita Avenue, west side (Google Street View)*



*Figure 90. 1300 block of Bonita Avenue, east side (Google Street View)*



*Figure 91. Berryman Street east of Bonita Avenue (Google Street View)*



Figure 92. The neighborhood today (Apple Map)

## 17. Significance

**Consistent with Section 3.24.110A.1.b.**, the William H. & Esther L Payson House possesses architectural merit. It was built in 1889 by the important construction firm of Lord & Boynton and is one of only five surviving buildings constructed by that firm. The Payson House's appearance is unique in the firm's surviving body of work; it is the only single-story, unadorned, hip-roofed building, reflecting the Unitarian spirit of its first owners.

**Consistent with Section 3.24.110A.1.c.**, the Payson House is worth preserving for the exceptional values it adds to the neighborhood fabric. It was one of the first houses built north of Berryman Street—an area that wasn't even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract, which had been subdivided in 1875.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

In addition, the Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. The other three

corners are occupied by apartment buildings dating from the 1920s, 1960s, and 1970s, respectively.

**Consistent with Section 3.24.110A.4.**, the Payson House has historic value. Its builders were the Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921), who arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today.

**Historic Value:** City Yes Neighborhood Yes

**Architectural Value:** Neighborhood Yes

**18. Is the property endangered?** Yes, a demolition permit has been applied for.

#### 19. Reference Sources:

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA, Berkeley Historical Society, Ancestry.com.

Block files. BAHA.

Tract maps & Sanborn Fire Insurance Maps. BAHA.

Assessor’s maps. Alameda County Assessor’s Office.

U.S. Census and California Voter Registration records. Ancestry.com.

Ormsby Donogh files. BAHA.

Nelson, Marie. *Surveys for Local Governments—A Context for Best Practices*. California Office of Historic Preservation, 2005. [http://ohp.parks.ca.gov/pages/1054/files/Survey\\_Savvy\\_CCAPA.pps](http://ohp.parks.ca.gov/pages/1054/files/Survey_Savvy_CCAPA.pps)

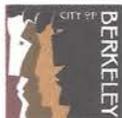
#### 20. Recorder:

Daniella Thompson  
2663 Le Conte Avenue  
Berkeley, CA 94709

#### Applicant:

Deborah Kropp  
1231 Bonita Avenue  
Berkeley, CA 94709

**Date:** June 2020



## PLANNING & DEVELOPMENT

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

### LANDMARK PRESERVATION COMMISSION

#### Landmark, Structure of Merit or Historic District Petition Form

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

Name: <u>Deborah Kropp</u> <small>Please Print</small>			
1 Address: <u>1231 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>	
Signature: <u>Deborah Kropp</u>	Date: <u>5-5-20</u>		
Name: <u>Alan Kropp</u> <small>Please Print</small>			
2 Address: <u>1231 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>	
Signature: <u>Alan Kropp</u>	Date: <u>5.5.20</u>		
Name: <u>Jennifer Osborne</u> <small>Please Print</small>			
3 Address: <u>1236 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>	
Signature: <u>Jennifer Osborne</u>	Date: <u>5/6/2020</u>		
Name: <u>Justine Osborne</u> <small>Please Print</small>			
4 Address: <u>1234 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>	
Signature: <u>Justine Osborne</u>	Date: <u>5/6/20</u>		
Name: <u>JOHN WADMAN</u> <small>Please Print</small>			
5 Address: <u>1216 Bonita</u>	City: <u>Berkeley CA</u>	Zip: <u>94709</u>	
Signature: <u>John Wadman</u>			

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2

Date: 5/6/20

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

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6	Name: <u>Helen Wadman</u> Please Print	Address: <u>1216 Bonita Ave.</u>	City: <u>Berkeley CA</u>	Zip: <u>94709</u>
	Signature: <u>Helen Wadman</u>	Date: <u>5/6/20</u>		
7	Name: <u>Kathy McDonald</u> Please Print	Address: <u>1940 Yolo Ave</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>Kathy McDonald</u>	Date: <u>5-7-20</u>		
8	Name: <u>Corinne Eno</u> Please Print	Address: <u>1414 Milvia St.</u>	City: <u>Berkeley</u>	Zip: <u>94709.</u>
	Signature: <u>Corinne Eno</u>	Date: <u>5-7-20</u>		
9	Name: <u>Karen Weil</u> Please Print	Address: <u>1209 Bonita</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Karen Weil</u>	Date: <u>May 7, 20</u>		
10	Name: <u>Deborah Tillis</u> Please Print	Address: <u>1907 Yolo Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>Deborah Tillis</u>	Date: <u>May 7 2020</u>		

3

Name of Property:	William and Esther Payson House
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11	Name: <u>Elexious Cummings</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
12	Name: <u>Jennifer Taylor</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Jennifer Taylor</u>			Date: <u>5/7/20</u>
13	Name: <u>Jerome Taylor</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
14	Name: <u>Margaret Pillow</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Margaret Pillow</u>			Date: <u>5/8/20</u>
15	Name: <u>Yentang Lin</u> Please Print	Address: <u>1710 Milvia St.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/8/20</u>

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4

Name of Property:	William and Esther Payson House
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16	Name: <u>BRUNO LEON-ON</u> Please Print	Address: <u>1935 Yolo Avenue</u>	City: <u>BERKELEY</u>	Zip: <u>CA 94707</u>
	Signature: <u>[Signature]</u>			Date: <u>5/8/20</u>
17	Name: <u>Madelyn Bullard</u> Please Print	Address: <u>1210 Bonita Ave, Rear</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>M Bullard</u>			Date: <u>5/8/20</u>
18	Name: <u>Ellen Weinreb</u> Please Print	Address: <u>1909 Berryman</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5.8.20</u>
19	Name: <u>Rashood Auguste</u> Please Print	Address: <u>1625 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/8/20</u>
20	Name: <u>ELLIOT HALPERN</u> Please Print	Address: <u>1214 MILVIA ST</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5.8.20</u>

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5

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21	Name: <u>Tom G. Hall</u> Please Print	Address: <u>1210 Milvia</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
22	Name: <u>Lillie Brun</u> Please Print	Address: <u>1207 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
23	Name: <u>Sally Sowko</u> Please Print	Address: <u>1203 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Sally D Sowko</u>			Date: <u>5/7/2020</u>
24	Name: <u>Alex Ruda</u> Please Print	Address: <u>1313 MLK Jr Way #3</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/2020</u>
25	Name: <u>Maria DiChiappari</u> Please Print	Address: <u>1313 MLK Jr Way</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>

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6

Name of Property:	William and Esther Payson House
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26	Name: <u>Kejie Chen</u> Please Print	Address: <u>2204 Dwight way</u>	City: <u>Berkeley</u>	Zip: <u>94704</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
27	Name: <u>PATRICIA KERR</u> Please Print	Address: <u>1915 ROSE ST.</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
28	Name: <u>Paul Newman</u> Please Print	Address: <u>3217 Statuk me</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
29	Name: <u>Chashig Walker</u> Please Print	Address: <u>1941 Delaware St</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
30	Name: <u>Liane Carstarphen</u> Please Print	Address: <u>1429 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>

7

Name of Property:	William and Esther Payson House
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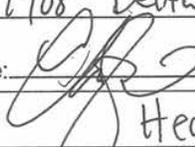
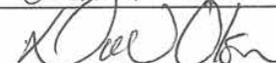
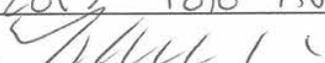
31	Name: <u>Heather Knowlton Lofthouse</u> Please Print	Address: <u>1214 The Alameda</u>	City: <u>Berkeley</u>	Zip: <u>CA 94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
32	Name: <u>JIM BHAK</u> Please Print	Address: <u>1800 ROSE</u>	City: <u>BERKELEY</u>	Zip: <u>94703</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
33	Name: <u>MARY MORRIS</u> Please Print	Address: <u>1209 BONITA</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/2020</u>
34	Name: <u>Kevin Clark</u> Please Print	Address: <u>1260 Hopkins</u>	City: <u>Berkeley</u>	Zip: <u>94702</u>
	Signature: <u>Kevin Clark</u>			Date: <u>5/7/2020</u>
35	Name: <u>Jane Gatto</u> Please Print	Address: <u>2022 Francisco St</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Jane Gatto</u>			Date: <u>5/7/20</u>

ITEM 6. ATTACHMENT 1-A  
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8

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

36	Name: <u>Christopher Riess</u> Please Print	Address: <u>1408 Delaware St.</u>	City: <u>Berkeley</u>	Zip: <u>94702</u>
	Signature: 			Date: <u>5/7/2020</u>
37	Name: <u>Heather Nicholls</u> Please Print	Address: <u>1905 BERRYMAN</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/7/20</u>
38	Name: <u>DAVID OLSON</u> Please Print	Address: <u>1408 GRANT ST.</u>	City: <u>BERKELEY</u>	Zip: <u>94703</u>
	Signature: 			Date: <u>5/8/20</u>
39	Name: <u>LARRY GUSTINO</u> Please Print	Address: <u>2015 YOLO AVENUE</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: 			Date: <u>5/8/20</u>
40	Name: <u>Kathleen Gustino</u> Please Print	Address: <u>2015 Yolo Ave</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: 			Date: <u>5/8/20</u>

9

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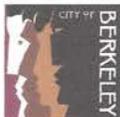
41	Name: <u>MAGDALENA VANYA</u> <small>Please Print</small>	[Daughter]
	Address: <u>1911B BERRYMAN ST</u> City: <u>BERKELEY</u> Zip: <u>CA 94709</u>	
	Signature: <u>Magdalena Vanya</u> Date: <u>5/8/2020</u>	
42	Name: <u>Don Elvosenkamp</u> <small>Please Print</small>	
	Address: <u>1415 Josephine</u> City: <u>Berkeley</u> Zip: <u>94703</u>	
	Signature: <u>[Signature]</u> Date: <u>5/8</u>	
43	Name: <u>Luther Miller</u> <small>Please Print</small>	
	Address: <u>1913A Berryman St</u> City: <u>Berkeley</u> Zip: <u>94709</u>	
	Signature: <u>[Signature]</u> Date: <u>5/8/20</u>	
44	Name: <u>Elizabeth Rosenberg</u> <small>Please Print</small>	
	Address: <u>1913B Berryman St</u> City: <u>Berkeley</u> Zip: <u>94709</u>	
	Signature: <u>[Signature]</u> Date: <u>5/8/2020</u>	
45	Name: <u>CLERMONT DONAHUE</u> <small>Please Print</small>	
	Address: <u>1905 Berryman St</u> City: <u>Berkeley</u> Zip: <u>94709</u>	
	Signature: <u>[Signature]</u> Date: <u>5/8/20</u>	

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46	Name: <u>MAGDALENA VANYOVA</u> <span style="float: right;">[Mother]</span> <small>Please Print</small>
	Address: <u>1911B BERRYMAN ST</u> City: <u>BERKELEY</u> Zip: <u>94709</u>
	Signature: <u><i>Magdalena Vanyova</i></u> Date: <u>05/08/2020</u>
47	Name: <u>ALOIS VANYA</u> <small>Please Print</small>
	Address: <u>1911B BERRYMAN</u> City: <u>BERKELEY</u> Zip: <u>94709</u>
	Signature: <u><i>Alois Vanya</i></u> Date: <u>05/08/2020</u>
48	Name: <u>DAVID TOY</u> <small>Please Print</small>
	Address: <u>1911B BERRYMAN ST.</u> City: <u>BERKELEY</u> Zip: <u>94709</u>
	Signature: <u><i>[Signature]</i></u> Date: <u>5/8/20</u>
49	Name: <u>Charles Hains</u> <small>Please Print</small>
	Address: <u>1909 Berryman St</u> City: <u>Berkeley</u> Zip: <u>94709</u>
	Signature: <u><i>[Signature]</i></u> Date: <u>5/8/20</u>
50	Name: <u>GRANT READING</u> <small>Please Print</small>
	Address: <u>1343 FRANCISCO ST.</u> City: <u>BERKELEY</u> Zip: <u>94702</u>
	Signature: <u><i>[Signature]</i></u> Date: <u>5.9.20</u>



**PLANNING & DEVELOPMENT**

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

**LANDMARK PRESERVATION COMMISSION**  
**Landmark, Structure of Merit or Historic District Petition Form**

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

51	Name: <u>LILLIAN HOWAN</u> Please Print	Address: <u>1935 YOLO AVE</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		
52	Name: <u>DINA ROUMANTSEVA</u> Please Print	Address: <u>1330 MILVIA</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>3/8/20</u>		
53	Name: <u>SARA SOWKO</u> Please Print	Address: <u>1203 BONITA AVE.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>05/08/2020</u>		
54	Name: <u>SCOTT SOWKO</u> Please Print	Address: <u>1203 BONITA AVE</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>05/08/2020</u>		
55	Name: <u>ELMER P. SOWKO</u> Please Print	Address: <u>1203 BONITA AVE</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			

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Date: <u>5.8.2020</u>	
Name of Property:	<u>William and Esther Payson House</u>
Street Address(es) of Property:	<u>1915 Berryman Street, Berkeley, CA 94709</u>

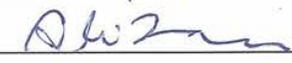
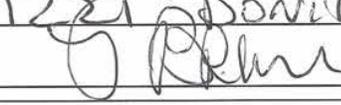
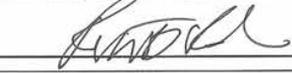
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56	Name: <u>David Akullian</u> Please Print	Address: <u>1207 BONITA AVE</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/9/20</u>		
57	Name: <u>Harald Leventhal</u> Please Print	Address: <u>1929 Yolo Ave</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>	Date: <u>5/9/20</u>		
58	Name: <u>VENEE LEVENTHAL</u> Please Print	Address: <u>1929 YOLO</u>	City: <u>BERKELEY</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>	Date: <u>5/9/20</u>		
59	Name: <u>Asha Setty</u> Please Print	Address: <u>1415 Josephine St.</u>	City: <u>Berkeley</u>	Zip: <u>94703</u>
	Signature: <u>[Signature]</u>	Date: <u>5/9/20</u>		
60	Name: <u>MOHSEN MAHBUBIAN</u> Please Print	Address: <u>1221 BONITA AVE</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>MAY 30 20</u>		

13

Name of Property:	William and Esther Payson House
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61 46	Name: <u>Mikael Mahboubian</u> Please Print	Address: <u>1225 Bonita ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/31/20</u>
62 47	Name: <u>Ali Zarch</u> Please Print	Address: <u>1227 Bonita ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5-31-20</u>
63 48	Name: <u>YURIKO BRIMM</u> Please Print	Address: <u>1221 BONITA AVE</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5-30-20</u>
64 49	Name: <u>Robert B Reich</u> Please Print	Address: <u>1230 Bonita Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/14/20</u>
65 50	Name: <u>Perian Flaherty</u> Please Print	Address: <u>1230 Bonita Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/14/2020</u>

DANIELLA THOMPSON  
2663 LE CONTE AVENUE :: BERKELEY, CA :: 94709

20 July 2020

Landmarks Preservation Commission  
Fatema Crane, Secretary  
Land Use Planning Division  
1947 Center Street  
Berkeley, CA 94704

Re: Payson House, 1915 Berryman Street landmark application

Dear Commissioners:

The following is a point-by-point refutation of claims made by the property owner/developer's historic resources consultant, Mark Hulbert. His report, which was initially dated 22 May 2020, was revised on 10 July 2020 following instructions by Planning staff.

In his evaluation of the LPO criteria for designation, Mr. Hulbert wrote the statements below that I numbered and placed between quotation marks. Under each quoted statement, I provide my response.

*3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.*

*A. I. Architectural merit:*

*a. Property that is the first, last, only or most significant architectural property of its type in the region;*

- I. "The property type of the subject resource is multi-family residential, though the building was originally single-family, yet added to and simultaneously converted to multi-family beginning in the 1920s."

**Response:** Incorrect. Like many other Berkeley houses, the Payson House was converted to three apartments by the Miller family to meet housing shortages during World War II, but descendants of the same family later reunified the main floor into a single dwelling and lived there until recently. The landmark application records those changes.

2. “Under this criterion, while there are a number of nearby residences that date to the same or earlier years, one suffices – 1317 Shattuck St., a c1885 dwelling that stands within several blocks of the subject property (fig.4).”

**Response:** The Captain Maury House, 1317 Shattuck Avenue, was completely remodeled by John Hudson Thomas in 1922. There is no visible trace left of the original Maury House of 1885. Mr. Hulbert has failed to disprove the landmark application’s point that the Payson House is the oldest structure standing between Shattuck and San Pablo avenues north of Rose Street and south of Hopkins Street.

3. “And each of the other handful of nearby examples also exceed the architectural quality of the subject property and building (relevant examples include 1410 Bonita, 1892; 2001 Francisco, c1886-1889; 2043 Lincoln, c1889; 1418 Spruce, 1885; and 1536 Oxford, 1889 – figs.5-9).”

**Response:** By citing the examples above, Mr. Hulbert is comparing apples and oranges. All the structures cited by him were designed in architectural styles quite unlike that of the Payson House, and not one of them resembles the original appearance of the Payson House.

*b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder;*

4. “There is no evidence that the subject property or building embody any outstanding historic architectural qualities. Relative to its Victorian Style period of origin, its original character is not specifically known while, compared to numerous and readily identified others in the immediate vicinity, the extant building is a poor architectural example of the Victorian period and style.”

**Response:** Just because a specific “Style” label can’t be affixed to this house, and just because it can’t be compared to the more commonly seen styles of Victorian domestic architecture, doesn’t make the Payson House less Victorian or a poor architectural example. On the contrary, it makes it all the rarer and worthier of preservation.

5. “Further, no architect, engineer or designer has been directly identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton).”

**Response:** Lord & Boynton were master builders; they constructed the Peralta Park Hotel; the Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; and the recently designated Luttrell House, 2328 Channing Way. The Payson House is unique in design and appearance within Lord & Boynton's known surviving body of work, which comprises a total of five houses. Mr. Hulbert did not research Lord & Boynton. His initial report, dated 22 May 2020 and submitted in the project application packet on 26 May 2020, recorded the builder as "unknown." Mr. Hulbert is not an authority on the significance of Lord & Boynton.

*c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.*

6. "The subject building has no preservation-worthy characteristics or values relative to its neighborhood, where there exist other contemporaneous period houses and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period."

**Response:** Incorrect. The Payson House is considerably older than all the other houses in the neighborhood. It was continuously inhabited by the Miller-Petrash family from the early 1940s until very recently, and is clearly recognizable as a specimen of its period. Indeed, the house has been generally referred to by local residents as "the old farm house."

7. "Two properties westward on Berryman (#1905, c1910) is a late-Victorian Shingle Style house with a distinctive range of materials and elements, while directly behind the subject property is another dignified late-19th century Shingle Style house (#1234 Bonita, c1893). Moreover, just to the north and across Bonita stands a large Shingle Style residence (#1231 Bonita, c1906 – figs.10-11), which is clearly the most distinctive historic architectural example in the immediate neighborhood."

**Response:** 1905 Berryman Street was built for Holland S. Payson in 1910. It is derivative of the William & Esther Payson House, which preceded it by 21 years. The cottage at 1234 Bonita Avenue is another Payson family home, built for Mrs. Payson's sister on the Paysons' parcel several years after the main house was erected. As for 1231 Bonita Avenue, ironically, it belongs to the person who gathered the petition signatures and submitted the landmark application for the Payson House. As the commissioners can read in her letter, she and her husband bought a house that had been altered and was in precarious shape. They restored it to its current

praiseworthy condition. So did several other neighbors with their own homes. These neighbors are unanimous in their belief that a less-than-immaculate condition is no excuse for demolition when restoration and adaptive reuse are an option.

*2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City;*

8. “The subject residential property has no direct association to cultural developments important to the City. Based on numerous news accounts, its original owners, the Paysons, were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home.”

**Response:** Mr. Hulbert seeks to diminish the historic and cultural significance of William Payson, an important co-founder and leader of the First Unitarian Church of Berkeley *while he lived at 1915 Berryman Street*. Payson co-founded the church in 1891, two years after this house was built, and continued in a leadership role on the West Coast until his death in 1914. His civic and political activities also took place while he was living in this house. As an aside, the Unitarian and Universalist churches did not merge until 1961. The Paysons were never associated with the Universalist Church.

9. “Furthermore, the reality is that, relative to the existing property and building, the Payson association has long been lost.”

**Response:** That could be said about any old building. Mr. Hulbert did not research the Paysons. His first submittal provided no information on the Paysons and made no mention of the Unitarian connection. Mr. Hulbert is in no position to arbitrate on the Payson association.

*4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military;*

10. “The subject building is neither preservation worthy nor would the property or building express or embody the history of Berkeley. The subject property and its building have no intact relationship to the intact late-19th and early-20th century residences directly adjacent and adjoining, several of which definitively express their historical context and period.”

**Response:** The above statement is meaningless, concocted by a gun-for-hire with a demonstrated history of sloppy scholarship.

*B. Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:*

*I. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.*

II. “A demonstrably poor as well as substantially altered former residence, the subject building has no preservation-worthy characteristics or values relative to its neighborhood, block or street frontages, which comprise a mix of single and multi-family residential uses and buildings. And of each type, there are numerous and far better examples.”

**Response:** “Demonstrably poor” and “former residence” are wild exaggerations. Until very recently, the Payson House was the longtime residence of the Miller-Petrash family. It was in livable condition at the time of its sale on 18 March 2020. Furthermore, it is eminently restorable and adaptable. The Berryman Street façade could easily be returned to its original appearance by reopening the front porch. There are no other houses of this type in the neighborhood, therefore better examples can’t be cited. There are also no other houses as old as the Payson house in the entire area.

*2. Specific criteria include, but are not limited to one or more of the following:*

*a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure’s neighborhood, block, street frontage, or group of buildings.*

*b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.*

12. “One Berkeley Landmark stands within the subject neighborhood, one block west of the subject property – the Maybeck House #1 at 1300 MLK Jr. Way. The 1892-1902 Maybeck House is contemporaneous with the origins of the subject building. It also shares a mixed character, as neither of those original single-family residences are intact. Nonetheless, the significance of the

Maybeck House is contingent on its original owner and architect, Bernard Maybeck, a historic Berkeley architect with an international architectural reputation and without which the Maybeck House would not have mustered designation (notably, despite the Maybeck provenance, the vote to designate the property was won by the narrow margin of 5-4).”

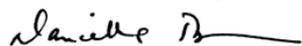
**Response:** The Maybeck House No. 1 was built several years after the Payson house. Bernard and Annie Maybeck were members of the First Unitarian Church, and it is not unlikely that they were drawn to this neighborhood by the example of William and Etta Payson. Furthermore, in appearance, the Payson House is significantly closer to its origins than is the Maybeck House and far more recognizable as the house it used to be when built.

Summing up, the William H. & Esther L. Payson House is eminently worthy of preservation. It could be restored and repurposed for greater density without demolition or loss of historic character.

I was moved by the neighbors’ initiative to preserve this irreplaceable resource and their ability to organize quickly in the midst of the Covid-19 pandemic. They gathered 65 signatures in a matter of days and sent me numerous photos of the house, so I could describe it accurately. They documented the cutting of several coast live oaks on the property by the new owner prior to the arborist’s inspection. They confronted the surveyor, who visited the property in February 2020, before the oaks were cut down, and who admitted to having altered his map in response to his client’s “corrections.” They also communicated with neighbors of the developer’s previous project, at 2212 Tenth Street, and learned of his history of prevarication and underhanded dealings, as well as of the low-quality construction of that project.

I hope the commissioners, too, will appreciate this grass-roots effort to preserve the neighborhood’s character and designate the Payson House as a City of Berkeley Landmark or Structure of Merit.

Sincerely,



Daniella Thompson



State of California  The Resources Agency Primary #  
 DEPARTMENT OF PARKS AND RECREATION HRI# \_\_\_\_\_  
**BUILDING, STRUCTURE, AND OBJECT RECORD**

\*Resource Name or # (Assigned by recorder) 1915 Berryman St., Berkeley \*NRHP Status Code \_\_\_\_\_  
 Page 2 of 10

- B1. Historic Name: --  
 B2. Common Name: 1915 Berryman St.  
 B3. Original Use: Single-family residence B4. Present Use: Multi-family (4 units)  
 \*B5. Architectural Style: Victorian Shingle  
 \*B6. Construction History:

The 1915 Berryman Street property houses a residential building, 1-1/2 stories (single story over tall crawl space/cellar) at its front and back and 2-1/2 stories at its mid-section. The front and back appear to be what in part remain of an original, 1889 house; the mid-section a 1925 addition which level was provided with independent access, thus initiating the building's conversion from single to multiple occupancy. Since, additional alterations have further expanded the residential use to, recently, three residential units with at least six different entry doors. (cont.)

- \*B7. Moved?  No  Yes  Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_  
 \*B8. Related Features: None  
 B9a. Architect: unknown b. Builder: Lord & Boynton  
 \*B10. Significance: Theme -- Area --  
 Period of Significance -- Property Type -- Applicable Criteria --

In sum, per an 1889 deed and an 1889-1890 directory listing, the existing building was constructed in 1889-1890 as a single-family house and with a 1925 permitted addition, which latter work included a detached garage. The existing building is, thus, visibly configured in three distinct parts: front, middle and rear. It may be presumed but is not a given – as at this juncture there is no original or early visual documentation – that the character of the original house in part remains at its front and rear segments, at least in part. (cont.)

B11. Additional Resource Attributes: (List attributes and codes) HP2: Single-family property

\*B12. References:  
 Sanborn Fire Insurance Maps for Berkeley, CA, 1911-c1980; City of Berkeley permit records and County of Alameda Assessor's records, 1915 Berryman St.; United States census records, 1890-1940; Historic newspapers (@CDNC.org) and Alameda County directories (@SFPL.org); Berkeley Architectural Heritage Association archives; City of Berkeley Landmark Application, 1915 Berryman St., June 2020.

- B13. Remarks:  
 \*B14. Evaluator: Mark Hulbert Preservation Architect  
 \*Date of Evaluation: 5/22/2020 rev.7/10/2020

(This space reserved for official comments.)

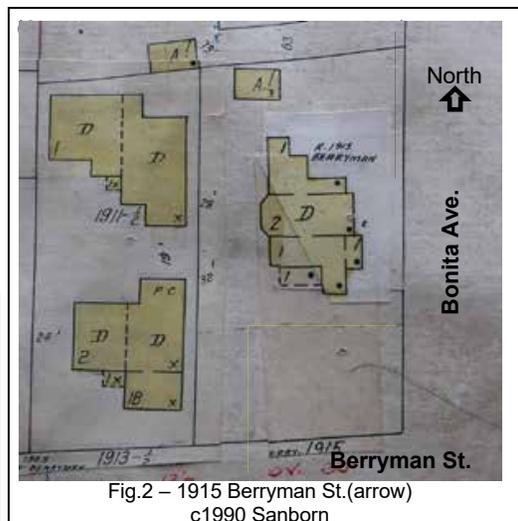


Fig.2 – 1915 Berryman St.(arrow)  
 c1990 Sanborn

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### CONTINUATION SHEET

Property Name: 1915 Berryman St., Berkeley

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**Description (continued):**

There are essentially no views of the building from Berryman while there are glimpses of a wood shingled building from Bonita. Even on-site views of the building are limited. (cont.)



Fig.3 – 1915 Berryman St., view of house from Bonita Ave.



Fig.4 – 1915 Berryman St., front (south) from front driveway

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## CONTINUATION SHEET

Property Name: 1915 Berryman St., Berkeley

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### Description (continued):

Overall, the existing building exterior is unpainted, dark wood shingled over painted horizontal board-sided (v-groove) crawl space walls separated by a continuous water table, over which the bottom course of shingling laps. A front wing projects forward under a front gabled roof. Otherwise, the roofs are hipped or shedded, including atop the 2-1/2 story mid-section, which has a low-sloped roof that sheds to the east and west from a central ridgeline. A small gabled dormer is partly visible atop the front hip roof.

The windows are mostly wood double-hung with several miscellaneous wood casements and a few metal replacements. There are three windows that have divided lites – a pair of upper sashes at the front wing and a lower sash unit at the front west side. The exterior doors are a variety of wood styles. As noted, there exist at least six different entry doors – three at the front porch, two at the east side porch and another at the rear porch. Also at the rear, covered exterior steps lead down to a cellar door. Window and door casings are flat wood boards with projecting window sills with molded apron trim. The only other molded trimwork is at the lower roof eaves, where there is a broad ogee trim (except where it has been replaced with gutters), whereas the projecting eave at the upper roof is a wood box atop the flat board fascia with a transitional molding. There are also a variety of wood doors and windows at the crawl space/cellar walls. One of which, at the projecting west side bay, has a sill with more pronounced wood trim and trim blocks below, yet which occur nowhere else on this building. (cont.)



Fig.5 – 1915 Berryman St., part east side

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Property Name: 1915 Berryman St., Berkeley  
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Fig.6 – 1915 Berryman St., west side



Fig.7 – 1915 Berryman St., rear (north) from rear driveway

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Property Name: 1915 Berryman St., Berkeley

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### Description (continued):

The overall character of this residential building is curiously segmented, with the front and rear segments separated by the tall box-like mid-section, which physically bisects the former house. And the front, gabled wing is its only formal aspect. The entry stairs climb along the western side of this projecting wing to a recessed entry way under a shed roof shared with what is evidently an enclosed front porch, which has an aluminum sliding window at the front and a multi-lite fixed window at its western side wall.

It is very unlikely that the existing wood shingles are original to the 1889 building. Rather, it is more likely that they were added in the 1920s, or later, and there are also evident areas where the shingles are recent. That shingles stand proud of wood casings suggests that there are multiple layers of siding, at least at the oldest parts of the house.

### Construction History (continued):

A portion of block 16 of the 1875 Map of the Berkeley Villa Association, the property was acquired and its original house constructed in 1889, by and for Etta Payson, at which time the lot was twice as wide and more than twice as deep as the current parcel, as the original rear boundary was the line of Codornices Creek. Pre-1900, Berryman was named Gilman Street and Bonita was Louisa Street. In that period, the S.P.R.R. streetcar line ran along Shattuck to Rose and which was extended by 1910 along Henry Street directly east of this neighborhood, with a stop at what was called Berryman Station. Thus, the commuter streetcar is an historic context of this vicinity and which, evidently, provided a measure of convenience to the turn-of-the-century commuters of this neighborhood, including the husband of Etta, William H. Payson, an attorney with offices in San Francisco.

No deeds have been found for subsequent lot splits but, in 1919, when Etta Payson deeded her property to its next owner, Katherine O. Easton, it was still a double wide lot yet without its rearward half.

The existing adjacent parcel to the west was split off prior to 1925 by Easton, based on the evidence that Easton acquired a mortgage for just the subject lot in 1925.

As mentioned, other than deed records, no original documentation has at this juncture been located. The plan of the building was first depicted in the 1911 Sanborn map, when it was identified as a 1 story dwelling. May 1925 permit records follow, which are the first permit records available and that cryptically listed the work as "raise the roof on east and west; windows [on east and west]; shower bath toilet basin; steps front rear; hardwood flg. on main floor;" the owner listed as Mrs. K.O. Easton, the builder J.P. Wood. A second 1925 permit was taken for a 10x18 garage to be occupied by "1 machine" and, again, for Easton and by Wood. No architect is identified.

The 1929 Sanborn map recorded the bisected building with its 2 story mid-section and rearward garage. Most of the surrounding parcels were by then built upon with the exception of the parcel immediately to the west.

Thereafter, there was 1945 and 1946 building permit activity, the former for the "back outside stair to be fix[ed] up" and interior stair changed, the latter to change the porch window and close in a 6' x 8' porch. Each of those permits listed the owner as Harry Miller and identified the property as 2 family.

Real estate records further identify a 1942 owner as Hattie G. Parlett, who was listed in the 1935-1941 directories and in the 1940 census at 1915 Berryman; and the 1961 transfer of the property from Ruth E. Miller to Betty Ruth Geritz, Helen Marie Petrash and Edward Earnest Miller. (cont.)

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**Construction History (continued):**

Ownership chronology:

Payson – 1889-1919

Easton – 1919-c1935 (occupied 1915 Berryman c1922-c1925)

Parlett – c1935-c1942

Miller – c1942-1961

Miller/Petrash – 1961-2020

Beginning in 1955, miscellaneous permit and housing inspection records identify the building use as apartments. The last permit record under the Miller/Petrash family ownership was in 1994, when the use was then listed as a home plus three living units. Through most of this duration, the building was not owner-occupied.

**Significance (continued):**

Although it was, originally, a Victorian era house, there is little architectural evidence of its period of origins as there is practically no period ornamentation. Which raises the question of whether it was originally a relatively plain house design for its period or whether original elements and materials were altered and removed as the former house was converted to multiple residences.

There are other contemporaneous houses in the direct vicinity and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period (figs.8-10). Two properties westward on Berryman (#1905) is a late-Victorian Shingle style house with a distinctive range of materials and elements; directly behind the subject property is another modest yet dignified turn-of-the-20th century Shingle style house (#1234); and further down and across Bonita is a large and highly distinctive Shingle style residence (#1231). And there exist other surviving period houses in the direct vicinity in comparison to which 1915 Berryman is not equal aside from its generous corner site.

The neighborhood and its context are otherwise a mix of residential types and periods, several relatively sizable apartment buildings included, a couple of which are direct neighbors to 1915 Berryman. Such a mix is also actually embodied in the subject multi-unit building.

**Associated Persons**

As summarized above, the persons associated with the original and early residential uses included:

Etta L. and William H. Payson, he a S.F. attorney (per 1900 and 1910 censuses, 1889-1913 directories) and, also, briefly though perhaps erroneously identified in a 1907 news account as the president of Northwestern Pacific Railroad (NWP, SF Call, 30 July 1907; whereas an A. H. Payson appears to have been the railroad's president in that period, nor does W. H. Payson's name arise in the NWP historical information). Numerous news accounts additionally associate Payson with the First Unitarian Church.

Kimball G. Easton, an Oakland street construction engineer and treasurer (per 1920 census, 1925 directory), who passed away in the year that the addition was made to the house.

Katherine O. Easton, author (per 1922 directory); about whom no other specific information has been found, who resided here from c1922 until c1925 then appears to have moved away (listed in 1930 census in Tuolumne County).

The family of Harry V. and Ruth E. Miller, for whom no specific information has been located. (cont.)

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Property Name: 1915 Berryman St., Berkeley

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### Associated Persons (continued):

During each of these individual ownership periods, the property was owner-occupied for periods thereof, so has for relatively long periods been a rental property, including in the last years of its existence as a single-family house.

### Evaluation

Based on the above information and as per California Register of Historical Resources evaluation criteria:

*Criterion 1* – There is no evidence of any specific events of any historic importance associated with this property or building. It is a private, residential property first developed in the late 19th century then further developed as a multi-unit residential building in the 1920s. Though associated with the turn of the 20th century suburban streetcar line, that general association applies to all of the numerous properties served by the streetcar system, including all of its contemporaneous neighbors.

*Criterion 2* – Persons associated with construction of the 1889 residence, Etta and William Payson, have no identifiable historic importance relative to their residence. Contemporaneous news accounts record that the Paysons were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home. Neither do the subsequent owners, Katherine and Kimball Easton, who were responsible for the 1925 multi-residential additions and alterations, have any identifiable importance. Thus, based on generally available information, there is no evidence of any historically important persons associated with the subject property and building.

*Criterion 3* – In terms of potential design and construction importance, the existing residential building is a mix of parts without distinctive architectural origins. While portions of the original house appear to remain, the use and design of that former house has been severed into parts as well as from its origins, to the extent that whatever the design character of the original house was, relative to its period, is uncharacteristically basic and has been partially lost. Nor is the existing building identifiably distinctive of its turn-of-the-20th century architectural period whereas, in its historical context, potential significance would be on that basis – as a range of nearby homes demonstrably are. Neither is the mid-1920s addition of any potential design or construction distinction, in fact it is clumsily bisecting and assertive. So it is evident that the existing building lacks distinction as well as integrity relative to its original/early design and construction.

Further, no original architect, engineer or designer has been identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton). Thus, it is not a notable work of an original designer and builder, while other original and intact works of the identified builders have been identified, whereas the subject 1889-90 residence is not. The 1920s add was constructed by J. P. Wood, whose work does not otherwise arise in historical records. Additionally, the extant property and building are without any artistic associations. Therefore, there is no identifiable significance under criterion 3.

*Criterion 4* – Relative to potential historic architectural resources, the subject property has not yielded and at this juncture, beyond the contents of this report, does not appear to have any potential to yield additional information of any historical importance.

### Conclusion

In conclusion, the existing residential building at 1915 Berryman St. in Berkeley lacks any potential historical significance per the California Register criteria.

Given the extent to which the property, building and its setting have been altered, relative to architectural aspects of integrity, the extant property and building lack integrity of design, materials and workmanship.

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As the association to its original use and users has also been lost and given the extent to which the setting has changed from that of its original and semi-rural period, the property and building also lack integrity of association and feeling. As the integrity of location is all that remains intact, the property and building lack historic integrity.



Fig.8 – 1905 Berryman St.



Fig.9 – 1234 Bonita St.

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Fig.9 – 1231 Bonita St.

## PRESERVATION ARCHITECTURE

July 10, 2020

### 1915 Berryman St., Berkeley City of Berkeley Historical Evaluation

As delineated below, per the City of Berkeley's *Landmarks Preservation Ordinance (LPO)*, the property and building located at 1915 Berryman St. are not eligible for designation as a Berkeley Landmark or Structure of Merit.

The 1915 Berryman Street property houses a residential building on a generous corner site. The subject building is 1-1/2 stories (single story over tall crawl space/cellar) at its front and back and 2-1/2 stories at its mid-section. The front and back appear to be what remain of an original, 1889 house; the mid-section a 1925 addition with a dedicated entry door and internal stair and which initiated the conversion of the building to multiple units. Since, additional alterations have further expanded the residential use to, recently, three residential units with at least six different entry doors.

In sum, per an 1889 deed and an 1889-1890 directory listing, the existing building was constructed in 1889-1890 as a single-family house and with a 1925 vertical addition, which latter work included the detached, extant garage. The existing building is, thus, visibly configured in three distinct parts: front, middle and rear (figs.1-3). It may be presumed but is not a given – as at this juncture there is no original or early visual documentation – that the character of the original house in part remains at its front and rear segments.

Additional historical and descriptive information is included in the attached documentation.

#### **3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.**

*A. Landmarks and historic districts. General criteria which the commission shall use when considering structures, sites and areas for landmark or historic district designation are as follows:*

##### *1. Architectural merit:*

*a. Property that is the first, last, only or most significant architectural property of its type in the region;*

The property type of the subject resource is multi-family residential, though the building was originally single-family, yet added to and simultaneously converted to multi-family beginning in the 1920s.

Neither as single-family nor multi-family is the existing residential property and building “first, last, only or most significant architectural property of its type” in this specific neighborhood, general vicinity or overall region.

Under this criterion, while there are a number of nearby residences that date to the same or earlier years, one suffices – 1317 Shattuck St., a c1885 dwelling that stands within several blocks of the subject property (fig.4).

That one example also readily addresses the criterion question of “most significant architectural property,” as the landmark residence at 1317 Shattuck has identified and potent architectural merit to which the existing building at 1915 Berryman does not compare. And

each of the other handful of nearby examples also exceed the architectural quality of the subject property and building (relevant examples include 1410 Bonita, 1892; 2001 Francisco, c1886-1889; 2043 Lincoln, c1889; 1418 Spruce, 1885; and 1536 Oxford, 1889 – figs.5-9).

And yet, the subject property type is multi-residential. While the 1929 and 1950 Sanborn maps specifically identify numerous multi-family properties/buildings within one block of the subject property, one of the earliest and best architectural examples readily suffices – the c1904 multi-family residential building at 1939-1945 Berryman, one block directly east of the subject property.

*b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; or*

There is no evidence that the subject property or building embody any outstanding historic architectural qualities. Relative to its Victorian Style period of origin, its original character is not specifically known while, compared to numerous and readily identified others in the immediate vicinity, the extant building is a poor architectural example of the Victorian period and style. Further, no architect, engineer or designer has been directly identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton). There is additionally no evidence of any outstanding construction character – in fact, the subject building's construction is rudimentary. Thus, it is not a notable work of an original designer/builder, while other original and intact works of the identified builders have been identified.

The subject property and building were also substantially altered beginning in the mid-1920s, when a second story was added, which level was provided with independent access, thus initiating the building's conversion from single to multiple occupancy.

*c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.*

The subject building is a mix of parts without exceptional architectural origins or character. Given its history of occupancy and alteration, there is also no evidence of any qualitative historical consideration or concern by any of its owners. While portions of the original house generally appear to remain, the use and design of that former house has been severed into parts as well as from its origins, to the extent that whatever the design character of the original house was, relative to its Victorian period, was uncharacteristically basic and has been partially lost. Nor is the existing building identifiably distinctive of its turn-of-the-20th century architectural period whereas, in its historical context, potential significance would be on that basis – as a range of nearby homes demonstrably are. Neither is the mid-1920s addition of any potential design or construction distinction, in fact it is clumsily bisecting and assertive.

The subject building has no preservation-worthy characteristics or values relative to its neighborhood, where there exist other contemporaneous period houses and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period. Two properties westward on Berryman (#1905, c1910) is a late-Victorian Shingle Style house with a distinctive range of materials and elements, while directly behind the subject property is another dignified late-19th century Shingle Style house

(#1234 Bonita, c1893). Moreover, just to the north and across Bonita stands a large Shingle Style residence (#1231 Bonita, c1906 – figs.10-11), which is clearly the most distinctive historic architectural example in the immediate neighborhood. Compared to each of these direct examples, the subject house pales. And as summarized above, there exist numerous other surviving period houses in the direct vicinity in comparison to which 1915 Berryman is not equal.

Further, to the extent that these specific examples house multiple units, and which is likely, the added units did not forfeit the original architecture, as happened when the subject building was converted to multiple units from the 1920s into the 1950s.

The neighborhood and its context are otherwise a mix of residential types and periods, several 20th century apartment buildings included, several of which are direct neighbors to 1915 Berryman. Such a mix is also actually embodied in the subject multi-unit building.

2. *Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City;*

The subject residential property has no direct association to cultural developments important to the City. Based on numerous news accounts, its original owners, the Paysons, were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home. Furthermore, the reality is that, relative to the existing property and building, the Payson association has long been lost.

3. *Educational value: Structures worth preserving for their usefulness as an educational force;*

The subject residential property and building have no educational usefulness. They are a composite of which the early-to-mid 20th century multi-family character and use are dominant. There is also no recordation or clear understanding of the subject building's original form, which has been altered and obscured by subsequent additions, alterations and deterioration.

4. *Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military;*

The subject building is neither preservation worthy nor would the property or building express or embody the history of Berkeley. The subject property and its building have no intact relationship to the intact late-19th and early-20th century residences directly adjacent and adjoining, several of which definitively express their historical context and period.

5. *Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.*

The subject property and building are not listed on the National Register.

B. *Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:*

1. *General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a*

*neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.*

A demonstrably poor as well as substantially altered former residence, the subject building has no preservation-worthy characteristics or values relative to its neighborhood, block or street frontages, which comprise a mix of single and multi-family residential uses and buildings. And of each type, there are numerous and far better examples.

2. *Specific criteria include, but are not limited to one or more of the following:*

a. *The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.*

b. *The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.*

One Berkeley Landmark stands within the subject neighborhood, one block west of the subject property – the Maybeck House #1 at 1300 MLK Jr. Way. The 1892-1902 Maybeck House is contemporaneous with the origins of the subject building. It also shares a mixed character, as neither of those original single-family residences are intact. Nonetheless, the significance of the Maybeck House is contingent on its original owner and architect, Bernard Maybeck, a historic Berkeley architect with an international architectural reputation and without which the Maybeck House would not have mustered designation (notably, despite the Maybeck provenance, the vote to designate the property was won by the narrow margin of 5-4).

Lacking evidence of any architect, etc., it may be presumed that the original subject building was the design of either its owner or its builder. In either event, the subject property has no origins that even approximate the Maybeck House. Moreover, given subsequent additions and alterations, the original building does not exist as a work of architecture. Moreover, its substantive additions were also not the product of any identifiable architect, etc., so must again be presumed to have been the design of the then owner or builder.

The subject property and building are also lack direct associations to any significant historic period or event.

c. *The structure is a good example of architectural design.*

The subject building is a poor example of architectural design.

d. *The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of buildings.*

The subject building has no identifiable historical significance relative to the City or to its neighborhood, block, street frontage or group of buildings. Its alteration and degradation have severed the subject building from its early associations.

In conclusion, the property and building at 1915 Berryman Street, Berkeley lacks potential historical significance under the criteria of the City of Berkeley's Landmarks Preservation Ordinance.

Signed:



Mark Hulbert  
Preservation Architect & Historic Resources Consultant

attached: figs.1-11 (pp.5-9); 1915 Berryman St., DPR forms



Fig.1 - 1915 Berryman St., front looking north from Berryman St. sidewalk (all photos MH2020)



Fig.2 - 1915 Berryman St., east side from Bonita Ave. sidewalk



Fig.3 - 1915 Berryman St., rear from Bonita Ave. sidewalk



Fig.4- 1317 Shattuck Ave., c1885



Fig.5 - 1418 Spruce St., 1885

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Fig.6 – 1410 Bonita Ave., c1892



Fig.7 – 2001 Francisco St., c1886-1889



Fig.8 – 2043 Lincoln St., c1889



Fig.9 – 1536 Oxford St., 1889



Figs.10-11 – 1231 Bonita Ave., c1906

# ATTACHMENT 1

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## DRAFT FINDINGS

AUGUST 6, 2020

### **1915 Berryman Street – The Payson House**

**Landmark application #LMIN2020-0003 for the consideration of City Landmark or Structure of Merit designation status for a residential property.**

#### PROJECT DESCRIPTION

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City Landmark designation of the property 1915 Berryman Street

#### CEQA FINDINGS

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1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.4 of the CEQA Guidelines (the project will be rejected or disapproved by the public agency).

#### LANDMARK PRESERVATION ORDINANCE FINDINGS

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2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A and B of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property and extant main building: possess insufficient architectural merit; lack necessary aspects of integrity; and do not represent the more significant contributions of persons important to local history. As such, the property and main building do not warrant designation as a City Landmark or Structure of Merit either individually or as a member of a group of related sites. Therefore, the Commission disapproves the application for designation status.

**Crane, Fatema**

---

**From:** Linda Library <llealba1045@yahoo.com>  
**Sent:** Wednesday, July 15, 2020 3:43 PM  
**To:** Landmarks Preservation Commission  
**Subject:** Fw: Landmark Designation of 1915 Berryman St Payson House

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

----- Forwarded Message -----

**From:** Linda Library <llealba1045@yahoo.com>  
**To:** FCrane@cityofBerkeley.info <fcrane@cityofberkeley.info>  
**Sent:** Wednesday, July 15, 2020, 3:41:50 PM PDT  
**Subject:** Landmark Designation of 1915 Berryman St Payson House

Dear Landmark Preservation Commission,

I am writing with the request that the Payson House at 1915 Berryman Berkeley, CA 94709 be considered a landmark designated by your commission.

In online conversations with my fellow neighbors in our neighborhood, I have read or will have read the many comments & observations regarding why the Payson House should be saved from demolition.

I ditto their feelings & comments and would like to add my own personal comments.

I have lived at 1247 Martin Luther King around the corner from 1915 Berryman for over 40 years & in those many years have walked my children to Whittier (now Arts Magnet School) on the lovely Bonita St. In addition, over the 40+ years I have walked various family dogs in the neighborhood & have derived so much pleasure from the green yards with leafy trees that is the 1200 block of Bonita. I make sure to include a stop at the Cordornices Creek that flows from Live Oak Park through Milvia, Bonita & MLK.

The visual part of the creek on Bonita is exceptionally verdant as it is mostly original & pristine-flanked on both sides of the street by tasteful original residences.

In these strolls around the Bonita, Milvia, Berryman & Rose St blocks, in addition to the two huge apt complexes on two of the four corners of Bonita & Berryman, I take note of several stucco apt complexes that were built during the 50's to replace the original residences on these streets.

When I venture on the other side of MLK, Berryman & Josephine I am grateful that the Landmark Preservation Commission designated 1300 MLK a landmark because of Bernard Maybeck & the history that comes with that house & lovely green backyard on which it stands.

Also on the 1300 block of MLK one sees more of the stucco apt complexes that were built in the 50's era...

ITEM 6. Attachment 4

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Somehow, the 1200 block of Bonita has been spared this scenario &  
I hope that designating the Payson House at 1915 Berryman will  
allow renovation & restoration of the property without the  
complete change of character to that charming, wooded corner.

Sincerely,  
Linda Leong  
1247 Martin Luther King

on Milvia

**Crane, Fatema**

---

**From:** Karen Weil <karen@karenweil.com>  
**Sent:** Wednesday, July 15, 2020 11:27 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** RE: Payson House, 1915 Berryman Street

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To whom it may concern,

I have lived on Bonita Street for 40 years this month! It is a gorgeous residential street in Berkeley, and very representative of why people want to live here to begin with. We stay here because Berkeley feels and looks different from the basic urban city. Berkeley residents shy away from stripmalls, prefer locally owned restaurants and bookstores, versus the big chains. Bonita street has the charm of living in nature with the creek, the Bay, and the Oak trees which surround us. For the most part, the homes have a quality of history and uniqueness to them.

The apartments that are on two corners of Bonita and Berryman (South West and North Eastern) have always been an eyesore to me. I am not against apartments per se, but I always wondered how in the world those two plans were ok'd by the city of Berkeley! In fact, I heard that it was after one of those ugly apartments was built, that the "Neighborhood Preservation Ordinance" came to be. Contrary to those ugly boxy apartments, the apartment that is on the South Eastern side of the corners, is a good example of a building that still has charm, fits into the neighborhood, but is not just a single family dwelling.

My neighbors and I are trying to protect the property at 1915 Berryman, the Payson House. It was recently purchased by a developer and when I saw the picture of the proposed project, my jaw just dropped! I couldn't believe that the City of Berkeley would ok a project like that on a residential **quiet, and very narrow** street. Bonita Street also has a very big blind spot, right at the hill where they are proposing this 10 unit complex. I could see this project being promoted for University Avenue, or downtown Shattuck, perhaps San Pablo Avenue. I do understand we need more housing, but if we allow our old homes to just be torn down and replaced with these huge monstrosities, who really benefits besides the developers?

Many of the older homes on our street have been renovated and kept their charm. I thought that the Payson home would already have been categorized as having Landmark Status, and I was really surprised to find out that wasn't the case. This house built in 1889, the oldest in our district, should be restored. It could be designated to landmark status to preserve its uniqueness and architectural features, continue to fit into its surroundings, and still be modified to accomodate the need for more housing.

Additionally, I am worried about this specific developer having a free rein. He has already **ILLEGALLY** cut down **THREE LARGE** Oak trees that were on the property!!! He did this without permit, permission, or any notice to the neighbors. Not a good sign that this particular developer cares about Berkeley and will keep to the rules.

Please consider saving this historic home. I am not sure what age group you are in, but perhaps you are familiar with the Joni Mitchell song? The words, "Don't it always seem to go, that you don't know what you've got til it's gone. They paved paradise, put up a parking lot"

Thank you and stay well,  
Karen Weil

ITEM 6. Attachment 4  
LPC 08-06-20  
Page 4 of 44

1209 Bonita Avenue

**Crane, Fatema**

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**From:** Tom Hall <tges4@comcast.net>  
**Sent:** Thursday, July 16, 2020 11:20 AM  
**To:** Crane, Fatema  
**Subject:** Landmarks Application for Payson House,1915 Berryman St.

WARNING: This email originated outside of City of Berkeley.  
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Ms Fatema Crane  
Secretary, Landmarks Commission

Dear Ms Crane,

I am writing to support Deborah Kropp's application for the Payson House at 1915 Berryman. I should mention that we are long time residents of the neighborhood. Upon arriving in Berkeley in the summer of 1971 we moved into a small bungalow at 1205 Bonita. We lived there with our infant son for two years before purchasing our present home at 1210 Milvia, a house just over the back fence of the Bonita cottage. My wife, Elaine, taught first grade at the School of the Madeleine for 28 years. Our son was in her class. I commuted to Cal State Hayward until I retired in 2000 as Emeritus Professor History.

Ms Kropp's application makes a solid case for the historical and architectural significance of the Payson House and the property it sits on. I have no desire to repeat it. But I would like to make a few observations about the history of the Payson house based on my work as a professional historian who has published on California history.

The house and its grounds are a little window into the history of California and Berkeley from the 1820s to the present. The Payson house sits on a Mexican land grant and testifies to the pressures and conflicts that led to the dismemberment of those grants. Napoleon Byrne arrival shows something about the consequences of the Civil War for our town and, more importantly, the process by which Berkeley, even as early as the 1860s and early 1870s, had an increasingly diverse population. From Missouri, Byrne brought with him the town's first African-Americans, a Canadian, an Irishman, and a Chinese man. William Payson's purchase of land from the Berryman family repeats the larger history of California's appeal for Easterners in search of better health. He was one of the "health seekers." Payson and the two men who built his house in the early 1880's — Carlos Lord and Ira Boynton — are intimately involved in creating new religious and civic organizations in Berkeley as well as being important participants in the city's long history of reform. Anyone in search of the history of Berkeley's Unitarian church will ended up looking at the Payson house. Similarly, anyone in search of Berkeley's reform politics in the 1880s and early 1890s will note Lord, Boynton, and Payson's involvement in the agitation against machine politics and the emergence of California's Populist Party.

At the same time the history of the house that Lord and Boynton built, just one of many in the northern portions of the city, will have a glance at Bernard Maybeck's role in creating distinctive Berkeley architectural forms and, for example, the reason our house is half redwood shingled. The house as it exists today also speaks to the growing influence of the Craftsman style that came to dominate the neighborhood from 1910 through the 1920s. Two of the homes on the 1200 block of Bonita are prominently featured in "The Bungalow: America's Arts & Crafts Home by Paul Duchscherer and Douglas Keister (1995). Finally, the additions to the house during and immediately after World War II reflects the housing shortage of those years and how the city's residents responded.

These are, I think, sound historical and cultural reasons for preserving the oldest surviving house north of Rose and south of Hopkins. But there is another urgent reason for approving this application. The process and public agencies involved in evaluating this application, and others like it, are the result of the Neighborhood Preservation Ordinance of

1973. That ordinance was a reaction against the nearly 20 years of demolishing Berkeley's historic architecture. The replacements were generally without any architectural merit and far larger than warranted by their surroundings. The spark that led the voters to pass the Ordinance was the demolition of two graceful Victorian homes, one once occupied by Frederick and Susan Miles Berryman dating from the late 1880s and the other the home of one of California's important late 19th century professional photographers. A cheesy, three story apartment building replaced those homes. The apartment building sits directly opposite the William Payson home. Its passage is one reason why, as the photos included in the application demonstrate, the neighborhoods in this part of Berkeley have contributed to sustaining our town's reputation as a city of beautiful treelined streets and historical homes. In a real sense Ms Kropp's application is a continuation of an earlier struggle to preserve Berkeley's history and its visual grace while at the same time allowing the construction of needed apartment buildings in those parts of the city appropriate for such housing.

My best wishes,

Tom G. Hall, Emeritus Professor of History, CSU, East Bay  
1210 Milvia St.  
Berkeley, Ca 94709



July 20, 2020

Landmarks Preservation Commission  
 Fatema Crane, Secretary  
 Land Use Planning Division  
 1947 Center Street  
 Berkeley, CA 94704

Re: Landmark Application for Payson House, 1915 Berryman Street

Dear Commissioners:

The Berkeley Architectural Heritage Association (BAHA) strongly supports designation of the William H. & Esther L. Payson House, 1915 Berryman Street, as a City of Berkeley Landmark or Structure of Merit.

The Payson House is one of only five known surviving buildings constructed in 1889 by Lord & Boynton, a firm that attained an almost legendary status in Berkeley's history as the builder of the Peralta Park Hotel.

Built in a rustic Victorian style, the Payson House stands unique in the remaining body of work left by Lord & Boynton as the only one-story, hip-roofed, unadorned structure. In its design and appearance, it perfectly reflects its first owner's modesty and self-effacement.

The Payson House's age sets it apart from the surrounding structures in the district, as it is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

Apart from their notable building activities, Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921) were Berkeley pioneers who arrived here in the 1870s, before the town was incorporated, and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

The house was built for William Hawes Payson, co-founder and leader of the First Unitarian Church of Berkeley while he lived in this house. His long obituary in the *Pacific Unitarian* began thus: "Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of the Pacific Coast Conference. He was also a member of the Board of

Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.”

Payson was also a reformer. Professor William Carey Jones wrote about him, “The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated.” In the political arena, Payson fought for fair voter representation and was active in the anti-graft movement that brought down corrupt San Francisco mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today. It is the last original house remaining at the intersection of Berryman Street and Bonita Avenue, where several historic houses were razed in the mid-20<sup>th</sup> century to make way for overscaled and unsightly apartment buildings. Residents of this neighborhood were active in the early 1970s initiative that led to the enactment of the Neighborhood Preservation Ordinance.

BAHA is sympathetic to the local residents’ efforts to preserve the historic character of their neighborhood and views with alarm the current plans by an out-of-town developer to demolish this historic structure.

We urge you to designate the Payson House a City of Berkeley Landmark or Structure of Merit.

Sincerely,



Anthony Bruce  
Executive Director

**Crane, Fatema**

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**From:** Alan Kropp <akropp@akropp.com>  
**Sent:** Sunday, July 19, 2020 11:05 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmark Application

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Landmarks Preservation Commission  
Fatema Crane, Secretary  
Land Use Planning Division  
2120 Milvia Street  
Berkeley, CA 94704

Members of the Commission:

I reside at 1231 Bonita Avenue, in close proximity to the Payson House at 1915 Berryman Street. I understand the Payson House is being considered for Landmark status. As I reviewed the criteria for Landmark status, I have noted that such status may be granted based on any or all of the structure's architectural, cultural, or historic value. Further, I have examined the Landmark Application for the Payson House prepared by Daniella Thompson, dated June 2020. I understand others are preparing letters with significant detail to present their rationale for supporting Landmark status for the house, so I will make my comments brief and not elaborate on the specific detailed information that was presented in Ms. Thompson's application document or the letters by others. I have the following thoughts regarding why the Payson House meets the criteria for Landmark status:

1. Historic Value- As the oldest house in our area, it occupies an important position in the area heritage.
2. Cultural Value- Mr. Payson, as well as subsequent owners of the house, have been important and influential leaders in the Berkeley community and beyond.
3. Architectural Value- This is one of the few remaining structures of an important builder in Berkeley, and some of the specific architectural features of the house represent design elements for both the original Victorian construction and the later wood-shingled modifications (influenced by neighbor Bernard Maybeck?).

I hope these brief, summary comments will demonstrate why I believe the Payson House should be granted Landmark status.

Sincerely,  
Alan Kropp

**Crane, Fatema**

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**From:** Harald Leventhal <haraldlev@gmail.com>  
**Sent:** Sunday, July 19, 2020 2:28 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Cc:** 'Renee Leventhal'  
**Subject:** Plea for Landmark Status for 1915 Berryman

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July 19, 2020

Ms. Fatema Crane  
Secretary  
City of Berkeley Landmarks Commission

Dear Ms. Crane:

We are writing the Landmarks Commission with deep concern regarding the proposed destruction of an important historic structure, the Payson House, at 1915 Berryman. We should mention that we have resided at our residence at 1929 Yolo Ave for over 30 years and Harald is a native having grown up in Berkeley, attended Berkeley schools and owned and operated a business in Berkeley for over 20 years. Our home is located where Bonita ends at Yolo, one block from the Payson House. We take great pride in the architectural character of our neighborhood which so many of us have invested in to maintain and preserve only to find a rapacious developer helicoptering in to our community to remove a historic structure in the name of profit without respect to our ordinances.

As active walkers, we have always looked with disgust at the architecturally bankrupt development previously permitted such as the apartment buildings at the NE and SW corners of Berryman and Bonita that are hideous architecturally and out of place and proportion to the surrounding neighborhood. We implore you to draw a line and not repeat this horrible period in Berkeley's history that has left us with soulless apartment buildings out of character and oversized with respect to their surroundings.

We now face an out of town developer proposing another development that, like these two apartment houses and so many others, replaces architecturally distinctive and historically distinctive structures for soulless structures that neither fit into the neighborhood nor are consistent with the Neighborhood Preservation Ordinance (NPO) which was enacted as result of the wave of similar development that nearly destroyed Berkeley's character.

As homeowners and long time residents and a native Berkeleyan, we respectfully request that the Commission deny the application to demolish this historic and architecturally significant structure and instead limit development to responsible restoration and appropriate modification to allow multiple units within the existing structure. We also plead with the Commission to take action against the developer for their illegal, shocking and arrogant destruction of the coastal live oaks on the property. At the very least, this should be grounds for denying demolition of the Payson House based on their cavalier disregard of our coastal live oak ordinance. How is it possible, with our active planning department, that these trees were removed without permits and that the surveyor's maps show none of these trees despite the maps having been prepared prior to their removal? Shame on the developer.

We encourage the City to support higher density housing where it already exists and consistent with the NPO and to respect the historic character of our neighborhoods and historic structures. The Payson House must be granted landmark status out of respect for many reasons including but not limited to:

- 1) William Payson was the kind of Berkeleyan we should honor and respect as a political reformer who fought against corruption in politics, fought for fair voter representation, and was a leader in the development of the First Unitarian Church of Berkeley.
- 2) The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
- 3) It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
- 4) Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
- 5) It would preserve green space around the Payson house.
- 6) It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please resist the lure of inappropriate development by a outside developer who has already demonstrated their noncompliant approach to construction with a previous project in Berkeley and the illegal removal of precious coastal live oaks.

We implore you to grant landmark status to preserve the Payson House and respect our neighborhood's character, desires and the intent of the NPO.

Respectfully,

*Harald & Renee Leventhal*

Harald & Renee Leventhal  
1929 Yolo Avenue  
Berkeley, CA 94707

**Crane, Fatema**

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**From:** Sowko Sowko <sowko@sbcglobal.net>  
**Sent:** Saturday, July 18, 2020 4:40 PM  
**To:** Crane, Fatema  
**Subject:** 1915 Berryman, Payson House, Landmark Status

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Fatema Crane  
Landmark Commission  
City of Berkeley

July 18, 2020

Our family is in support of giving the Payson House at 1915 Berryman Landmark Status. Our neighborhood had believed it was protected under the Neighborhood Protection Ordinance (NPO). We have been blindsided by the proposed demolition of Payson House and its replacement with a 10 unit, 35 foot high development.

We have lived at 1203 Bonita for over thirty years and raised our three children, Sara, Sam and Scott here. We have walked by the Payson House nearly everyday with children or dogs. We cherish the semi rural setting of this historic 1889 home of William Payson. It's green, park like setting is unique in Berkeley and is in deep contrast to the huge apartment buildings across the street on Berryman and Bonita Ave. The Payson House is the only remaining structure at the Berryman/Bonita intersection. The NPO was created to save Berkeley's neighborhood's character. This unique shingled Victorian with its sweet gabled roof and gabled dormer can be lovingly restored/renovated to maintain it's character and setting. It doesn't need to be torn down. We have spent the last thirty years restoring our own Brown Shingle home at 1203 Bonita as many of our neighbors have done. We believe that with fitting modifications to the existing Payson House it can be preserved while supporting increased housing.

We want to restate the Payson House history. It was built in 1889 in a rustic Victorian style. It gives our neighborhood a unique country feel. The parcel next door to the Payson House was being considered for the location of Live Oak Park, possibly due to the number of live oaks in the area. How is it possible that the new owners were able to remove several live oaks on the property soon after they purchased it without permits? How is it possible that the surveyors' map shows none of the live oak trees when it was done prior to their removal?

The Payson House was constructed by Lord & Boynton who built the famous Peralta Park Hotel in 1889. There are only five remaining structures built by Lord & Boynton in Berkeley. William Payson, the original owner, was a major leader in the First Unitarian Church of Berkeley that fought against political corruption. Another resident of the Payson House was Charlotte Elizabeth Bodwell Morgan. She was a part of the Carmel and Berkeley Art Colonies. Payson House has a significant historical past.

Please consider the Payson House for Landmark Status. It is a little slice of 1880's semi rural Berkeley with a significant historical past in our neighborhood and we cherish it. My three children walked by it everyday on their way to ML King Middle School and then to Berkeley High. A calm bit of history in these tumultuous times. It means a great deal to our Berkeley neighborhood.

Thank you,  
Sally and Elmer Sowko  
1203 Bonita Ave.  
Berkeley, CA 94709

**Crane, Fatema**

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**From:** Ellen Weinreb <ellenbethw@hotmail.com>  
**Sent:** Sunday, July 19, 2020 7:35 PM  
**To:** Crane, Fatema  
**Subject:** Re: In Support of Landmark Status for 1915 Berryman St

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resending...with correct spelling of your name. 😊

To Fatema and the LPC,

I am writing to express my support for the preservation of 1915 Berryman for Landmark or Structure of Merit status. I am a neighbor on Berryman. We bought our house 17 years ago largely for the oak trees in our back yard, the historic creek running through the block, and the historic Live Oak Park up the street.

I also bought our house for the history surrounding the neighborhood. I love walking by 1915 Berryman St for its rustic Victorian style and its country feel- it gives me a little hint of what Berkeley used to look like. I would love for it to be restored rather than torn down. Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. Renovation and restoration of historic homes helps preserve the historic character of our distinctive Berkeley neighborhood.

1915 Berryman Street is the oldest house in our district having been constructed in 1889. It was built for William Payson, a leader in the development of the First Unitarian Church of Berkeley who fought against corruption in politics. The architects, Lord&Boynton, were well known and precursors to Bernard Maybeck. This house at 1915 is one of only five houses remaining by Lord&Boynton.

Thank you for your consideration,  
Ellen Weinreb

**Crane, Fatema**

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**From:** Jerome Taylor <jmjb7@earthlink.net>  
**Sent:** Tuesday, July 21, 2020 2:20 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Application for 1915 Berryman

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Please include the following as to the Landmark Application for 1915 Berryman Street;

**In Support of the Landmark Application for 1915 Berryman Street**

There are additional historic structures in the immediate vicinity of the Payson House beyond those described in the landmark application for that property. The house at 1235 Bonita, directly across Bonita from 1915 Berryman was built in 1905 for James Sather Hutchinson (1857-1959). The house was built in the Chalet style, in keeping with his love of mountains.

©EBRD 2013



James Hutchinson's father, and later himself, were chief clerks for Peder Sather's bank in San Francisco. James was an executor of Jane K. Sather's will. James was an attorney in San Francisco for 60 years and appeared in court on his 90<sup>th</sup> birthday. He was a mountaineer and an environmentalist. He was most noted for being an explorer of the Sierra Nevada. Born in San Francisco, Hutchinson attended the University of California, Berkeley and then transferred to Harvard University where he received an A.B. degree in 1897. He attended the Hastings College of Law and received his LL.B. in 1899.

After a trip to the top of Mount Shasta James become fascinated with mountains and turned his attention to the Sierra Nevada. Along with Joseph N. LeConte and Duncan McDuffie, he pioneered a high mountain route in 1908 from Yosemite National Park to Kings Canyon, roughly along the route of the modern John Muir Trail. In 28 days, they completed a trip of 228 miles through the high mountains, including several previously unexplored sections. In 1920, he led an expedition from the Giant Forest to the Roaring River country, including the first trip over Colby Pass. His first ascents of Sierra peaks include Mount Sill and North Palisade in 1903, Mount Humphreys in 1904, Mount Mills and Mount Abbot in 1908 and Black Kaweah in 1920.

Hutchinson became a charter member of the Sierra Club as a college student (along with his good friend Joseph LeConte, the son of the founder of the club), and was active in the Club throughout his life, including serving as a director from 1903 through 1908. He served as editor of the Sierra Club Bulletin in 1903 - 1904 and also in 1925. An avid participant in cross country skiing and snow-shoeing, he established the Sierra Ski Club in the early 1920s with his brother Lincoln Hutchinson and William Colby, Joseph N. LeConte, Duncan McDuffie, and others. In 1924 and 25 they built, by hand from nearby trees and stone, a lodge at Norden near Donner Pass, which that small club used for nearly 30 years. The lodge was designed by fellow club member Walter Radcliff, the noted Berkeley architect. In 1955, its members all elderly, the Sierra Ski Club was disbanded, and its lodge and land holdings were donated to the Sierra Club. The lodge was renamed Hutchinson Lodge after the brothers, and is still in use.

James Hutchinson occupied the property at 1235 Bonita until 1935 when he moved to a house on Panoramic Way in Berkeley to be near his brother and other members of the Sierra Club.

The property at 1915 Berryman and most of the properties described in the landmark application are within the Codornices Creek riparian corridor. Despite a century and a half of development in this area the trees that are a major part of the riparian corridor are evident on the satellite image of the area (below). The corridor shows as a line of green across the center of the image. The Codornices riparian corridor is a part of the natural history of Berkeley. The presence on the creek, both esthetically and as a source of water to the Berryman Water Company, were a major factor in the development of North Berkeley. To maintain the corridor the space for the trees that are fundamental to the ecology of the corridor must be preserved.



*Codornices Creek Riparian Corridor*

Sincerely,

Margaret Pillow and Jerome Taylor, present owners of 1235 Bonita Ave.

**Crane, Fatema**

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**From:** Jerome Taylor <jmjb7@earthlink.net>  
**Sent:** Tuesday, July 21, 2020 2:24 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In support of Landmarking 1915 Berryman Street

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We urge the commission to approve landmark status for the historic structure at 1915 Berryman Street. It and many other buildings in the area are an important part of the history of Berkeley. Destroying this building would seriously degrade our neighborhood.

Jerome Taylor  
Margaret Pillow

**Crane, Fatema**

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**From:** John Wadman <johnwadman9@gmail.com>  
**Sent:** Tuesday, July 21, 2020 11:21 AM  
**To:** Crane, Fatema  
**Subject:** The Payson House at 1915 Berryman St Landmark Support Letter

**WARNING:** This email originated outside of City of Berkeley.

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Dear Landmark's Commissioners, Attn: Fatema Crane:

John and Helen Wadman have lived at 1216 Bonita Ave for nearly 50 years, and have enjoyed the rustic house and property at 1915 Berryman. Our son Michael lives in Brooklyn NY and is no stranger to tree-lined streets. Recently he visited us and told us when he walked up from No. Berkeley BART to our house on Bonita he admired the character of the streets, houses, and trees along the way.

It is this feeling of houses or abodes nestled among trees that is epitomized by 1915 Berryman.

Our pioneer ancestors built their houses among trees for shelter and I feel it is in our DNA. The property in question continues this tradition. The apartments planned by the new owner are totally not in keeping with the feel of the neighborhood. It would be tragic and senseless to have the house demolished and the trees removed.

I urge you to provide Landmark Status to the Payson House to protect it.

John Wadman, 1216 Bonita Ave., Berkeley, CA 94709

**Crane, Fatema**

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**From:** Fran Cappelletti <fcapp8@gmail.com>  
**Sent:** Tuesday, July 21, 2020 7:36 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Support for Payson House Designation

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Dear Commissioners,

I am writing in support of the significance of the Payson House at 1915 Berryman Street.

Consider that the house was built in 1889 by Lord & Boynton, one of only five by that firm still standing today and the oldest surviving in a large portion of Berkeley. One of the first houses built north of Berryman Street, it is historic and unique.

Consider that the house was built for lawyer William Hawes Payson, cofounder of the First Unitarian Church of Berkeley in 1891. A political reformer, he fought for fair voting and against graft, helping in the movement that brought down San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire. The Paysons were an important part of the neighborhood then.

Consider that this house typifies the neighborhood that was and it preserves that feeling today in integrity and appearance, despite alterations from the first half of the 20<sup>th</sup> Century. It is an important part of the neighborhood to residents today.

Please consider and support the designation of the Payson House as a City of Berkeley Landmark, keeping it an important part of the neighborhood for the future.

Sincerely,  
Fran Cappelletti

**Crane, Fatema**

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**From:** Mark Morris <mark@morriscpa.com>  
**Sent:** Wednesday, July 22, 2020 4:40 PM  
**To:** Deborah Kropp; Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Payson House Landmark Status

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Dear Landmark Preservation Commissioners ,

I am a 40 year resident at 1209 Bonita and I join my neighbors in the request to preserve the historic home at 1915 Berryman , the Payson house .

I have read the many other letters that have previously been sent, and at this point in time, I know you have all the necessary information and history regarding this dwelling.

Knowing this, I am going to just mention two items of importance once again.

1. The long list of complaints about this same developer from neighbors at his previous project, built on 2212 10th St. in Berkeley.
2. The fact that this developer deceived his new neighbors, our whole neighborhood, a surveyor, an arborist, and the city of Berkeley by cutting down two mature oak trees clandestinely and illegally. That alone should tell us all!! Personally, due to this illegal action by this developer, I think he should be banned from future projects in Berkeley.

Sincerely,  
Mark Morris

--

Regards,  
Mark

2200 Powell Street, Suite 990  
Emeryville, California 94608  
510-658-9080, ext. 201 (phone)  
510-658-9215 (fax)

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**Crane, Fatema**

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**From:** Jane Morrison <cosmici@icloud.com>  
**Sent:** Wednesday, July 22, 2020 6:18 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Designation for 1915 Berryman

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July 22, 2020

Ms. Fatema Crane  
 Secretary City of Berkeley Landmarks Commission

Dear Ms. Crane:

I am writing to support the designation of the Payson House at 1915 Berryman as a Berkeley Historic Landmark. I grew up in Berkeley and have lived on Martin Luther King with a backyard close to the Payson home for almost 50 years.

Every long-time resident here knows there are two homes of particular historical significance nearby, "The Old Farm House" at Bonita and Berryman and the Maybeck house at Berryman and Martin Luther King. For decades, savvy locals would point to the corner on MLK and Berryman and say "that's a Maybeck," or "that was Maybeck's studio." It's an interesting structure, but its history requires inside knowledge. On the other hand, Payson house architecture announces its history. When I was a child in the 1970s, my friends and I secretly trespassed onto the Payson House estate to play "olden days" and pretend we were wearing hoop skirts. In other words, children who lived in early 20<sup>th</sup> century-brown shingle homes knew instinctively that the Payson house belonged to another century and could take you to another time.

The home's history underscores the neighborhood's perceptions:

- • *The Payson House It is the oldest structure in the neighborhood* bordered by Shattuck, San Pablo, Rose Street and Hopkins Street. (Please attachedThompson discussion of this point)
- 
- • The architect was a *master builder*. The original owner William Payson chose *Lord & Boynton* to construct the house. It was completed in 1879, the same year Lord & Boynton built the famous Peralta Hotel. Maybeck arrived in Berkeley thirteen years later and build a home around the corner from the Payson house. (See attached rfor a complete list of Lord and Boynton's work).
- 
- • Once established at 1915 Berryman, Henry Payson was a significant community leader and institution builder. Born in Boston, he helped bring Unitarianism to the West Coast. Payson co-founded the Berkeley Unitarian Church, and served as President of the annual Pacific Coast Unitarian Conference, presiding over an event that helped build the establish Unitarian Church as a west coast institution.

The Payson house tells the story of Berkeley's rural Victorian past. The Old Farm House is a brown-shingled Victorian standing in a shady Live Oak grove. It's from an era when wealthy San Franciscans built hunting lodges in Berkeley because there were acres of wild land and big game the hills. That rural history is palpable if you stand in front of the house today. You can feel the stillness of the 1800s. There's a story to be told about the relationship between Berkeley's

vernacular brown-single Victorians and the arrival of the Arts and Crafts movement in the 20<sup>th</sup> century. In that sense, the Payson house and the Maybeck around the corner are having a conversation.

In addition, the home's natural setting is part of its historic value. It puts the house in context and implies the way people used to live. I was not surprised to learn that the house is set on a block that may have been considered as a site for Live Oak Park. The interior of the block has a park-like setting. Its full of Live Oaks and Redwood trees fed by Cordornices creek. The amount of wild life these trees support is remarkable. In my backyard, Cooper's hawks, song birds, woodpeckers, and humming bird are nesting and living in Oak trees. Monarch butterflies appear every year eating the milkweed by the creek. Unbelievable to me, there is a blue Herron sighting almost every year. I think we're a stop on a number of fly-ways.

In sum, the Old Farm House is the foundational home of this neighborhood, a loadstone that grounds the history and natural world of the Live Oak Park area. In a neighborhood with many modern apartment complexes, and homes built throughout the 20<sup>th</sup> century, nothing else like it remains.

Finally, my concern is larger than the preservation of this home alone. I'm afraid the strategy of this developer will be repeated. If successful, the demolition of the Payson home will support Berkeley's cowboy developer's playbook. The core rule is simple: ignore city process, hide violations, and plead ignorance. The Old Farm Houses' Live Oak trees disappeared from the survey map before they were cut down. The intention is plain. Removing the trees rather than building in the environment increases profit per square foot. The developers plan doesn't fit on the lot without removing the Live Oaks. They were hidden first, and now they're gone.

Increasing the affordable housing stock in Berkeley does not require breaking the redwood bones of a historic building and replacing it with cheaper building materials sold at a higher price. This is not a community service, but a strategy to pocket [dot.com](http://dot.com) profits that can inflate housing prices and can led to homelessness.

At this moment, Berkeley exists in a stark two-tier economy, made almost violent by a swelling pandemic. Real estate prices are tied to high-income folks working for tech companies in San Francisco, while many locals in other industries are losing their jobs, healthcare, and ability to pay rent. In 2009, there were foreclosure signs all over North Berkeley. A classic community solution to this kind of boom and bust economy is repurposing and sharing, because its so affordable. During World War II, the Payson house expanded to include three families as industrial workers moved to the Bay Area—a common strategy.

The Old Farm House that defines our neighborhood has breathed in and out with the cultural and economic changes in Berkeley for almost one hundred and fifty years. Its deserves protection as a historical site, a compass point, and a continuing resource to the community. Facebook's motto and the developers strategy of "move fast and break things," is not the right course for our time. Please grant the Payson House the Landmark status it deserves.

Sincerely,

Jane Morrison

1241 Martin Luther Jr. Way

Berkeley, CA

The evidence that Payson house property abuts a site considered for the location of Live Oak Park is found in this 1914 map published by Lederer, Street & Zeus. (see image below).



**Crane, Fatema**

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**From:** jennifer osborne <jennifer.d.osborne@gmail.com>  
**Sent:** Wednesday, July 22, 2020 10:41 AM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Status for Payson House

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

**Landmarks Preservation Commission**  
**Fatema Crane, Secretary**

Dear Landmark Preservation Commissioners,

I have lived at 1236 Bonita Avenue since 1960 when my parents bought the house. The house shares a property line with the Payson House. My house was designed by Lillian Bridgman who was an associate of Bernard Maybeck. I have observed the neighborhood changes over the years as two large elegant single family homes were destroyed and two apartment buildings with no architectural merit were built in their place.

Part of the character and solidity of the neighborhood has been maintained by the presence of the Payson house. It stands as a reminder of a past time when large lots and historic trees were part of the identity of Berkeley and what drew renowned architects to create beautiful homes here.

I met the new owner of 1915 Berryman by accident and he told me he was planning to tear down the building and put in six units. He subsequently illegally cut down two oak trees and submitted a proposal to cram 10 units onto the lot.

The Neighborhood Preservation Ordinance was enacted to protect against such rapacious developments. You can imagine what Berkeley would look like if every developer were given carte blanche to destroy older homes, remove the "urban forest", and build out to the property lines anything that would make them the most money. That is precisely the reason your commission exists!

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

The Payson House was constructed in 1889 and is the oldest house in our area.

- 1.
2. The
3. original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
- 4.
- 5.
6. William
7. Payson was a leader in the development of the First Unitarian Church of Berkeley.
- 8.
- 9.
10. The
11. Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
- 12.
- 13.

14. It
15. will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
- 16.
- 17.
18. Its
19. renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
- 20.
- 21.
22. It
23. would preserve green space around the Payson house.
- 24.
- 25.
26. It
27. would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.
- 28.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

Regards,  
Jennifer Osborne  
1236 Bonita Avenue

**Crane, Fatema**

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**From:** Robert B. REICH <rreich@berkeley.edu>  
**Sent:** Wednesday, July 22, 2020 8:19 PM  
**To:** Crane, Fatema; lpc@cityofberkeley.info  
**Subject:** Preservation of the Payson House

**WARNING:** This email originated outside of City of Berkeley.

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Dear Landmark Preservation Commissioners,

My wife and I moved into our house at 1230 Bonita Avenue, two doors down from the Payson House, fourteen years ago. One reason we moved into the area was the abundance of older homes dating from the late nineteenth and early twentieth centuries, offering the charm of an older era of Berkeley, along with the lovely Codornices Creek that runs through the neighborhood.

The character of the neighborhood is anchored by the Payson House, built in 1889 [and the oldest in the area, and by the old live oaks surrounding it. We walk past it every day.](#) We were frankly appalled to learn that the new owner of the Payson House was planning to tear it down, and already had illegally cut down two of the oak trees in order to squeeze ten units onto the lot. It is no small irony that the original owner of the house, William Payson, was a political reformer who fought against the illegal practices and corrupt politics of the late nineteenth century.

We urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. [If historic preservation means anything, it means maintaining enough of the character of an older neighborhood to remind people of its history and provide continuity with the present. Development for the sake of development makes no sense when it imposes social costs like this.](#)

Sincerely,

Robert B. Reich

Perian Flaherty

**Crane, Fatema**

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**From:** Magdi Vanya <magdalena.vanya@gmail.com>  
**Sent:** Wednesday, July 22, 2020 6:13 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In support of 1915 Berryman Street Landmark Status

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**Landmarks Preservation Commission**

Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on 1911B Berryman Street, the lot adjacent to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house
8. It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

Regards,

Magdalena Vanya  
1911B Berryman St

**Crane, Fatema**

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**From:** teacherrosenberg@yahoo.com  
**Sent:** Friday, July 24, 2020 7:30 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In Support of 1915 Berryman Street Landmark Status

**WARNING:** This email originated outside of City of Berkeley.

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Landmarks Preservation Commission

Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Berryman Street, close to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The house's architectural features such as its gable roofs, bay windows, and other features reflect the house's historical time. These features show it retains its integrity of location, setting, feeling and association.
3. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
4. Its renovation and restoration would preserve a historic home supporting the preservation of the character of our Berkeley neighborhood.
5. It would preserve green space around the Payson house.
6. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
7. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.

Please honor our requests to preserve the character of our neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

ITEM 6. Attachment 4  
LPC 08-06-20  
Page 31 of 44

Regards,  
Elizabeth Rosenberg

**Crane, Fatema**

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**From:** Rachel Callaghan <rachel.callaghan@highaltsys.com>  
**Sent:** Sunday, July 26, 2020 1:47 PM  
**To:** Crane, Fatema  
**Subject:** The Payson House at 1915 Berryman Street

**WARNING:** This email originated outside of City of Berkeley.  
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Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to deny permitting expansion and designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Milvia Street, close to this historic house. I have heard that the developers have already been problematic in other sites, and at this site they manipulated the lot lines and cut down protected oak trees that added to the historic character of the area as well as provided habitat for birds.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house.
8. It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

I have heard that the developers plan to make a fortune from destroying the character of the neighborhood, which is a mile plus from BART in either direction (to Downtown BART or North Berkeley BART). This is NOT a low-income development, but more million-dollar-plus housing, ten units with one (1) low-income. There is already a traffic burden on Berryman/Bonita, with three large high-density housing properties: one at Berryman and Milvia, one at Bonita and Berryman, one at Berryman and the Alameda, as well as smaller apartment complexes. This will make traffic difficult and street crossing dangerous for

children attending Martin Luther King school (they often enter through the edible schoolyard) as well as those attending the School of the Madeleine on Milvia. It will also reduce open-space and runoff drainage that the fairly large and unpaved lot now provides—because of the high density housing on sloped Berryman, this could lead to storm drain problems with runoff during high-rain winters.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and adhering to the Neighborhood Preservation Ordinance.

Regards,  
Rachel Callaghan MD

**Crane, Fatema**

---

**From:** C\_Ellis <aminor315@gmail.com>  
**Sent:** Sunday, July 26, 2020 9:22 PM  
**To:** Crane, Fatema  
**Subject:** Payson House Landmark Status

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners:

This is to urge the granting of Landmark status to the Payson House, 1915 Berryman Street.

I am a homeowner in Berkeley, at 1251 Martin Luther King, Jr., a short block's walk from the Payson House. For more than thirty years I have been a walker in the neighborhood (of children, of dogs, with friends, alone) and the Payson House has always been a bright spot in those walks. In a neighborhood that has already suffered more than enough characterless, multi-unit construction, the Payson House is a standing inheritance of grace, proportion, and quality residential building.

Besides being valuable in its own right, the Payson House is freighted with the history of those who built the house and those who lived there, our neighbors in time, and that history and their contributions are part of the Berkeley we know. Thoughtful and informed submissions already on file in this matter demonstrate that those lives are woven into the Berkeley we know, in religion, civic reform, social action, and our larger history in ways beyond what we can know. The Payson House is a living part of that fabric.

Architecturally, what happens if the Payson House is lost is already visible, directly across Bonita and directly across Berryman. Anyone who knows the intersection but cannot call to mind those buildings can be forgiven—they are forgotten as fast as noticed. The Payson House, on the other hand, deserves not just to be remembered but to go on being seen and enjoyed by many future walkers in Berkeley. It richly deserves Landmark status.

Yours truly,

Charles A Ellis  
1251 M L King Jr Way  
Berkeley, CA 94709

**Crane, Fatema**

---

**From:** Ann Harlow <annharlow@pacbell.net>  
**Sent:** Saturday, July 25, 2020 9:27 PM  
**To:** Landmarks Preservation Commission; Crane, Fatema  
**Subject:** 1915 Berryman

WARNING: This email originated outside of City of Berkeley.  
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Dear Landmarks Preservation Commission:

As the current Secretary of the Board of the Unitarian Universalist Church of Berkeley—and also of the Berkeley Historical Society—I was intrigued to learn of the Payson House at 1915 Berryman, built for the very first secretary of the church. I am writing to encourage the landmarking and preservation of the house for the many good reasons outlined in the application. Besides the Unitarian connection and Payson’s role as a political reformer, it is important that the house be preserved as one of the few remaining buildings by Lord & Boynton. I hope you will landmark it and recommend against its demolition!

Sincerely,

Ann Harlow

**Crane, Fatema**

---

**From:** Deborah Kropp <travelbydeborah@earthlink.net>  
**Sent:** Tuesday, July 28, 2020 10:29 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmark Application

**WARNING:** This email originated outside of City of Berkeley.

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Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear LPC Commissioners,

William Payson, the initial owner of the 1915 Berryman Street house, lived a life upholding exemplary values and beliefs. His legacy is part of the story that has defined Berkeley over the years. We are motivated by his life's example to pursue high standards of excellence in morality and integrity. William Payson's life of strong convictions and social action has enriched the cultural value of the Payson House, making it eligible for Landmark Status.

We are saddened and disheartened by the fighting, dissention and discrimination evidenced throughout our country in our day and age. After William Payson settled in 1889 in the newly constructed rustic Victorian located at what is now 1915 Berryman Street, he spent his years there pursuing the Unitarian Church beliefs of "**love, justice and peace**". As an active member and builder of the Unitarian church community, he sought unity among people of diverse backgrounds and ethnicities. We should give William Payson the honor due him as the promoter of goals which citizens of Berkeley have been striving for over its history and of which we still seek.

We are frustrated and angered by corruption today in national politics and many businesses. William Payson was a political reformer who embodied what many of us in Berkeley strive for today. He fought for **justice, honesty and honorable behavior**. His fight helped bring down deceitful and greedy leaders. We should honor the legacy of William Payson as a political reformer who fought against corruption. Berkeley has been the birthplace for political reformers and at the cutting- edge of social and economic change for the good. William Payson's life is an excellent example of this social focus evidenced in Berkeley's early history.

William Payson, a man of integrity yet humble character, sought goals of high moral value. These are standards we should teach our children and live by. Being showy and flaunting personal wealth were not his style. William Payson didn't live in a house that was highly ornamental and glamorous. He lived in a modest home like the person he himself was. He lived humbly, but was a man whose strivings sought the better good for all.

Yes, there are a number of reasons why the Payson House qualifies for Landmark status. Having discovered the life of the original owner, I am struck by the powerful yet humble presence of a man whose memory can still influence how we live.

I feel honored to live across the street from a house that embodies such a history and story of personal and moral integrity.

Sincerely,

Deborah Kropp  
1231 Bonita Avenue

P.S. This is my second letter to the Commission regarding Landmark Status for the Payson House.

**Crane, Fatema**

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**From:** Kathleen Giustino <kathleeng@a1suninc.net>  
**Sent:** Wednesday, July 29, 2020 10:42 AM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Cc:** Kathleen Giustino; Larry Giustino  
**Subject:** 1915 Berryman

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Dear Fatema Crane,  
Landmark Preservation Commission

Re: Landmark Status: Payson House, 1915 Berryman

My husband and I live on "Upper Yolo", with in walking distance of the Payson House located at 1915 Berryman.

The Payson house was built in 1889, it reflects the care in design and construction of an earlier age. The spacious lot is an island of calm in an ever more chaotic world. This home is a lovely highlight of the neighborhood.

The site needs to be preserved and restored to show its value as a local gem, to torn down and replaced.

We believe in higher density building, but not at the cost of ademoishing a house that needs to be exempted from such development. It is a site of value.

Kathleen Giustino

Send your e-mail to these addresses:  
[FCrane@CityofBerkeley.info](mailto:FCrane@CityofBerkeley.info),

Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Milvia Avenue, close to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.

ITEM 6. Attachment 4

LPC 08-06-20

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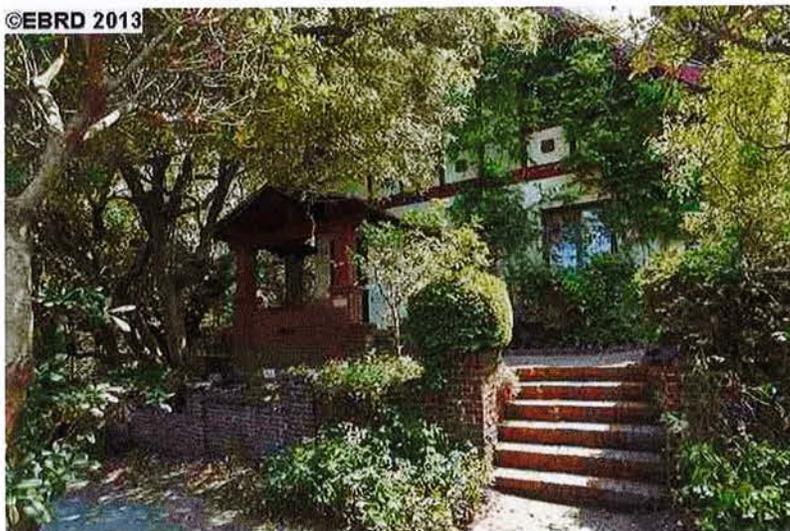
Received

JUL 23 2021

Land Use Planning

### In Support of the Landmark Application for 1915 Berryman Street

There are additional historic structures in the immediate vicinity of the Payson House beyond those described in the landmark application for that property. The house at 1235 Bonita, directly across Bonita from 1915 Berryman was built in 1905 for James Sather Hutchinson (1857-1959). The house was built in the Chalet style, in keeping with his love of mountains.



James Hutchinson's father, and later himself, were chief clerks for Peder Sather's bank in San Francisco. James was an executor of Jane K. Sather's will. James was an attorney in San Francisco for 60 years and appeared in court on his 90<sup>th</sup> birthday. He was a mountaineer and an environmentalist. He was most noted for being an explorer of the Sierra Nevada. Born in San Francisco, Hutchinson attended the University of California, Berkeley and then transferred to Harvard University where he received an A.B. degree in 1897. He attended the Hastings College of Law and received his LL.B. in 1899.

After a trip to the top of Mount Shasta James become fascinated with mountains and turned his attention to the Sierra Nevada. Along with Joseph N. LeConte and Duncan McDuffie, he pioneered a high mountain route in 1908 from Yosemite National Park to Kings Canyon, roughly along the route of the modern John Muir Trail. In 28 days, they completed a trip of 228 miles

through the high mountains, including several previously unexplored sections. In 1920, he led an expedition from the Giant Forest to the Roaring River country, including the first trip over Colby Pass. His first ascents of Sierra peaks include Mount Sill and North Palisade in 1903, Mount Humphreys in 1904, Mount Mills and Mount Abbot in 1908 and Black Kaweah in 1920.

Hutchinson became a charter member of the Sierra Club as a college student (along with his good friend Joseph LeConte, the son of the founder of the club), and was active in the Club throughout his life, including serving as a director from 1903 through 1908. He served as editor of the Sierra Club Bulletin in 1903 - 1904 and also in 1925. An avid participant in cross country skiing and snow-shoeing, he established the Sierra Ski Club in the early 1920s with his brother Lincoln Hutchinson and William Colby, Joseph N. LeConte, Duncan McDuffie, and others. In 1924 and 25 they built, by hand from nearby trees and stone, a lodge at Norden near Donner Pass, which that small club used for nearly 30 years. The lodge was designed by fellow club member Walter Radcliff, the noted Berkeley architect. In 1955, its members all elderly, the Sierra Ski Club was disbanded, and its lodge and land holdings were donated to the Sierra Club. The lodge was renamed Hutchinson Lodge after the brothers, and is still in use.

James Hutchinson occupied the property at 1235 Bonita until 1935 when he moved to a house on Panoramic Way in Berkeley to be near his brother and other members of the Sierra Club.

The property at 1915 Berryman and most of the properties described in the landmark application are within the Codornices Creek riparian corridor. Despite a century and a half of development in this area the trees that are a major part of the riparian corridor are evident on the satellite image of the area (below). The corridor shows as a line of green across the center of the image. The Codornices riparian corridor is a part of the natural history of Berkeley. The presence on the creek, both esthetically and as a source of water to the Berryman Water Company, were a major factor in the development of North Berkeley. To maintain the corridor the space for the trees that are fundamental to the ecology of the corridor must be preserved.



*Codornices Creek Riparian Corridor*

Sincerely,

*Margaret Pillow Jerome Taylor*

Margaret Pillow and Jerome Taylor, present owners of 1235 Bonita Ave.

5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house.
8. It would preserve the house's architectural features such as its hip roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and adhering to the Neighborhood Preservation Ordinance.

---

Kathleen Giustino  
CFO



A1 Sun, Inc.

[kathleeng@a1suninc.com](mailto:kathleeng@a1suninc.com)

office: (510) 526-5715

<http://www.a1suninc.com>

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**Crane, Fatema**

---

**From:** Crane, Fatema  
**Sent:** Wednesday, July 29, 2020 9:43 PM  
**To:** Crane, Fatema  
**Subject:** FW: 1915 Berryman Street

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**From:** Eugenie Scott <[eugeniescott1@gmail.com](mailto:eugeniescott1@gmail.com)>  
**Sent:** Wednesday, July 29, 2020 3:06 PM  
**To:** Armour, Nicholas <[NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info)>  
**Subject:** 1915 Berryman Street

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Mr. Armour,

I live on the 1200 block of Milvia Street (1218 Milvia), thus very close to the 1915 Berryman St property that has been suggested for Landmark status.

I think this is not a good site for Landmark status. The building is not that special, it hasn't had a particularly unique history, and it's considerably deteriorated from its previous condition. Expanding the site to allow for more than the three rental units it currently supports is quite reasonable.

Berkeley needs the housing! Of course, a 10 story apartment building would be out of place, but something closer to the 3-units that presently characterize the site would be quite acceptable to this neighbor.

Thank you.

Eugenie Scott  
1218 Milvia Street  
510 872 0919

Eugenie C Scott, Ph.D.  
Founding Executive Director, National Center for Science Education, Inc.  
write for address and telephone

[EugenieScott1@gmail.com](mailto:EugenieScott1@gmail.com)

**Crane, Fatema**

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**From:** Helen Toy <helen\_toy@yahoo.com>  
**Sent:** Wednesday, July 29, 2020 3:34 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Payson House

**WARNING:** This email originated outside of City of Berkeley.  
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Dear Landmarks Preservation Committee,

As a member of the Unitarian Universalist Church of Berkeley, as a neighbor of the lovely Payson house and grounds, and as someone who cherishes the old brown-shingled homes and ancient oak trees of Berkeley, I urge you to preserve the Payson House at 1915 Berryman Street.

Unitarianism is one of the early religions to become established in Berkeley, and to tear down the first minister's home would be to lose a valuable part of the church's and the city's history.

In addition, the house stands as an anchor for the many older homes that lend charm and early-Berkeley style to both streets that it serves to bookend: Berryman and Bonita. To lose the house, would be to greatly lessen the attractiveness of several blocks in the neighborhood.

Part of what makes Berkeley Berkeley and maintains its high standards of livability and property values are lovely old tree-surrounded homes like the Payson house.

Please preserve the home, both for those who live here now and for those to come.

Sincerely,  
Helen Guerrant Toy  
1771 Beverly Place  
Berkeley 94707

**Crane, Fatema**

---

**From:** Linda Library <llealba1045@yahoo.com>  
**Sent:** Wednesday, July 15, 2020 3:43 PM  
**To:** Landmarks Preservation Commission  
**Subject:** Fw: Landmark Designation of 1915 Berryman St Payson House

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----- Forwarded Message -----

**From:** Linda Library <llealba1045@yahoo.com>  
**To:** FCrane@cityofBerkeley.info <fcrane@cityofberkeley.info>  
**Sent:** Wednesday, July 15, 2020, 3:41:50 PM PDT  
**Subject:** Landmark Designation of 1915 Berryman St Payson House

Dear Landmark Preservation Commission,

I am writing with the request that the Payson House at 1915 Berryman Berkeley, CA 94709 be considered a landmark designated by your commission.

In online conversations with my fellow neighbors in our neighborhood, I have read or will have read the many comments & observations regarding why the Payson House should be saved from demolition.

I ditto their feelings & comments and would like to add my own personal comments.

I have lived at 1247 Martin Luther King around the corner from 1915 Berryman for over 40 years & in those many years have walked my children to Whittier (now Arts Magnet School) on the lovely Bonita St. In addition, over the 40+ years I have walked various family dogs in the neighborhood & have derived so much pleasure from the green yards with leafy trees that is the 1200 block of Bonita. I make sure to include a stop at the Cordornices Creek that flows from Live Oak Park through Milvia, Bonita & MLK.

The visual part of the creek on Bonita is exceptionally verdant as it is mostly original & pristine-flanked on both sides of the street by tasteful original residences.

In these strolls around the Bonita, Milvia, Berryman & Rose St blocks, in addition to the two huge apt complexes on two of the four corners of Bonita & Berryman, I take note of several stucco apt complexes that were built during the 50's to replace the original residences on these streets.

When I venture on the other side of MLK, Berryman & Josephine I am grateful that the Landmark Preservation Commission designated 1300 MLK a landmark because of Bernard Maybeck & the history that comes with that house & lovely green backyard on which it stands.

Also on the 1300 block of MLK one sees more of the stucco apt complexes that were built in the 50's era...

ITEM 6. ATTACHMENT 4  
LPC 08-06-20  
Page 2 of 46

Somehow, the 1200 block of Bonita has been spared this scenario & I hope that designating the Payson House at 1915 Berryman will allow renovation & restoration of the property without the complete change of character to that charming, wooded corner.

Sincerely,  
Linda Leong  
1247 Martin Luther King on Milvia

**Crane, Fatema**

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**From:** Karen Weil <karen@karenweil.com>  
**Sent:** Wednesday, July 15, 2020 11:27 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** RE: Payson House, 1915 Berryman Street

**WARNING:** This email originated outside of City of Berkeley.

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To whom it may concern,

I have lived on Bonita Street for 40 years this month! It is a gorgeous residential street in Berkeley, and very representative of why people want to live here to begin with. We stay here because Berkeley feels and looks different from the basic urban city. Berkeley residents shy away from stripmalls, prefer locally owned restaurants and bookstores, versus the big chains. Bonita street has the charm of living in nature with the creek, the Bay, and the Oak trees which surround us. For the most part, the homes have a quality of history and uniqueness to them.

The apartments that are on two corners of Bonita and Berryman (South West and North Eastern) have always been an eyesore to me. I am not against apartments per se, but I always wondered how in the world those two plans were ok'd by the city of Berkeley! In fact, I heard that it was after one of those ugly apartments was built, that the "Neighborhood Preservation Ordinance" came to be. Contrary to those ugly boxy apartments, the apartment that is on the South Eastern side of the corners, is a good example of a building that still has charm, fits into the neighborhood, but is not just a single family dwelling.

My neighbors and I are trying to protect the property at 1915 Berryman, the Payson House. It was recently purchased by a developer and when I saw the picture of the proposed project, my jaw just dropped! I couldn't believe that the City of Berkeley would ok a project like that on a residential **quiet, and very narrow** street. Bonita Street also has a very big blind spot, right at the hill where they are proposing this 10 unit complex. I could see this project being promoted for University Avenue, or downtown Shattuck, perhaps San Pablo Avenue. I do understand we need more housing, but if we allow our old homes to just be torn down and replaced with these huge monstrosities, who really benefits besides the developers?

Many of the older homes on our street have been renovated and kept their charm. I thought that the Payson home would already have been categorized as having Landmark Status, and I was really surprised to find out that wasn't the case. This house built in 1889, the oldest in our district, should be restored. It could be designated to landmark status to preserve its uniqueness and architectural features, continue to fit into its surroundings, and still be modified to accommodate the need for more housing.

Additionally, I am worried about this specific developer having a free rein. He has already **ILLEGALLY** cut down **THREE LARGE** Oak trees that were on the property!!! He did this without permit, permission, or any notice to the neighbors. Not a good sign that this particular developer cares about Berkeley and will keep to the rules.

Please consider saving this historic home. I am not sure what age group you are in, but perhaps you are familiar with the Joni Mitchell song? The words, "Don't it always seem to go, that you don't know what you've got til it's gone. They paved paradise, put up a parking lot"

Thank you and stay well,  
Karen Weil

1209 Bonita Avenue

**Crane, Fatema**

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**From:** Tom Hall <tges4@comcast.net>  
**Sent:** Thursday, July 16, 2020 11:20 AM  
**To:** Crane, Fatema  
**Subject:** Landmarks Application for Payson House, 1915 Berryman St.

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Ms Fatema Crane  
Secretary, Landmarks Commission

Dear Ms Crane,

I am writing to support Deborah Kropp's application for the Payson House at 1915 Berryman. I should mention that we are long time residents of the neighborhood. Upon arriving in Berkeley in the summer of 1971 we moved into a small bungalow at 1205 Bonita. We lived there with our infant son for two years before purchasing our present home at 1210 Milvia, a house just over the back fence of the Bonita cottage. My wife, Elaine, taught first grade at the School of the Madeleine for 28 years. Our son was in her class. I commuted to Cal State Hayward until I retired in 2000 as Emeritus Professor History.

Ms Kropp's application makes a solid case for the historical and architectural significance of the Payson House and the property it sits on. I have no desire to repeat it. But I would like to make a few observations about the history of the Payson house based on my work as a professional historian who has published on California history.

The house and its grounds are a little window into the history of California and Berkeley from the 1820s to the present. The Payson house sits on a Mexican land grant and testifies to the pressures and conflicts that led to the dismemberment of those grants. Napoleon Byrne arrival shows something about the consequences of the Civil War for our town and, more importantly, the process by which Berkeley, even as early as the 1860s and early 1870s, had an increasingly diverse population. From Missouri, Byrne brought with him the town's first African-Americans, a Canadian, an Irishman, and a Chinese man. William Payson's purchase of land from the Berryman family repeats the larger history of California's appeal for Easterners in search of better health. He was one of the "health seekers." Payson and the two men who built his house in the early 1880's — Carlos Lord and Ira Boynton — are intimately involved in creating new religious and civic organizations in Berkeley as well as being important participants in the city's long history of reform. Anyone in search of the history of Berkeley's Unitarian church will end up looking at the Payson house. Similarly, anyone in search of Berkeley's reform politics in the 1880s and early 1890s will note Lord, Boynton, and Payson's involvement in the agitation against machine politics and the emergence of California's Populist Party.

At the same time the history of the house that Lord and Boynton built, just one of many in the northern portions of the city, will have a glance at Bernard Maybeck's role in creating distinctive Berkeley architectural forms and, for example, the reason our house is half redwood shingled. The house as it exists today also speaks to the growing influence of the Craftsman style that came to dominate the neighborhood from 1910 through the 1920s. Two of the homes on the 1200 block of Bonita are prominently featured in "The Bungalow: America's Arts & Crafts Home by Paul Duchscherer and Douglas Keister (1995). Finally, the additions to the house during and immediately after World War II reflects the housing shortage of those years and how the city's residents responded.

These are, I think, sound historical and cultural reasons for preserving the oldest surviving house north of Rose and south of Hopkins. But there is another urgent reason for approving this application. The process and public agencies involved in evaluating this application, and others like it, are the result of the Neighborhood Preservation Ordinance of

1973. That ordinance was a reaction against the nearly 20 years of demolishing Berkeley's historic architecture. The replacements were generally without any architectural merit and far larger than warranted by their surroundings. The spark that led the voters to pass the Ordinance was the demolition of two graceful Victorian homes, one once occupied by Frederick and Susan Miles Berryman dating from the late 1880s and the other the home of one of California's important late 19th century professional photographers. A cheesy, three story apartment building replaced those homes. The apartment building sits directly opposite the William Payson home. Its passage is one reason why, as the photos included in the application demonstrate, the neighborhoods in this part of Berkeley have contributed to sustaining our town's reputation as a city of beautiful treelined streets and historical homes. In a real sense Ms Kropp's application is a continuation of an earlier struggle to preserve Berkeley's history and its visual grace while at the same time allowing the construction of needed apartment buildings in those parts of the city appropriate for such housing.

My best wishes,  
Tom G. Hall, Emeritus Professor of History, CSU, East Bay  
1210 Milvia St.  
Berkeley, Ca 94709



July 20, 2020

Landmarks Preservation Commission  
 Fatema Crane, Secretary  
 Land Use Planning Division  
 1947 Center Street  
 Berkeley, CA 94704

Re: Landmark Application for Payson House, 1915 Berryman Street

Dear Commissioners:

The Berkeley Architectural Heritage Association (BAHA) strongly supports designation of the William H. & Esther L. Payson House, 1915 Berryman Street, as a City of Berkeley Landmark or Structure of Merit.

The Payson House is one of only five known surviving buildings constructed in 1889 by Lord & Boynton, a firm that attained an almost legendary status in Berkeley's history as the builder of the Peralta Park Hotel.

Built in a rustic Victorian style, the Payson House stands unique in the remaining body of work left by Lord & Boynton as the only one-story, hip-roofed, unadorned structure. In its design and appearance, it perfectly reflects its first owner's modesty and self-effacement.

The Payson House's age sets it apart from the surrounding structures in the district, as it is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

Apart from their notable building activities, Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921) were Berkeley pioneers who arrived here in the 1870s, before the town was incorporated, and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

The house was built for William Hawes Payson, co-founder and leader of the First Unitarian Church of Berkeley while he lived in this house. His long obituary in the *Pacific Unitarian* began thus: "Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of the Pacific Coast Conference. He was also a member of the Board of

Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.”

Payson was also a reformer. Professor William Carey Jones wrote about him, “The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated.” In the political arena, Payson fought for fair voter representation and was active in the anti-graft movement that brought down corrupt San Francisco mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today. It is the last original house remaining at the intersection of Berryman Street and Bonita Avenue, where several historic houses were razed in the mid-20<sup>th</sup> century to make way for overscaled and unsightly apartment buildings. Residents of this neighborhood were active in the early 1970s initiative that led to the enactment of the Neighborhood Preservation Ordinance.

BAHA is sympathetic to the local residents’ efforts to preserve the historic character of their neighborhood and views with alarm the current plans by an out-of-town developer to demolish this historic structure.

We urge you to designate the Payson House a City of Berkeley Landmark or Structure of Merit.

Sincerely,



Anthony Bruce  
Executive Director

**Crane, Fatema**

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**From:** Alan Kropp <akropp@akropp.com>  
**Sent:** Sunday, July 19, 2020 11:05 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmark Application

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Landmarks Preservation Commission  
Fatema Crane, Secretary  
Land Use Planning Division  
2120 Milvia Street  
Berkeley, CA 94704

Members of the Commission:

I reside at 1231 Bonita Avenue, in close proximity to the Payson House at 1915 Berryman Street. I understand the Payson House is being considered for Landmark status. As I reviewed the criteria for Landmark status, I have noted that such status may be granted based on any or all of the structure's architectural, cultural, or historic value. Further, I have examined the Landmark Application for the Payson House prepared by Daniella Thompson, dated June 2020. I understand others are preparing letters with significant detail to present their rationale for supporting Landmark status for the house, so I will make my comments brief and not elaborate on the specific detailed information that was presented in Ms. Thompson's application document or the letters by others. I have the following thoughts regarding why the Payson House meets the criteria for Landmark status:

1. Historic Value- As the oldest house in our area, it occupies an important position in the area heritage.
2. Cultural Value- Mr. Payson, as well as subsequent owners of the house, have been important and influential leaders in the Berkeley community and beyond.
3. Architectural Value- This is one of the few remaining structures of an important builder in Berkeley, and some of the specific architectural features of the house represent design elements for both the original Victorian construction and the later wood-shingled modifications (influenced by neighbor Bernard Maybeck?).

I hope these brief, summary comments will demonstrate why I believe the Payson House should be granted Landmark status.

Sincerely,  
Alan Kropp

**Crane, Fatema**

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**From:** Harald Leventhal <haraldlev@gmail.com>  
**Sent:** Sunday, July 19, 2020 2:28 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Cc:** 'Renee Leventhal'  
**Subject:** Plea for Landmark Status for 1915 Berryman

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July 19, 2020

Ms. Fatema Crane  
Secretary  
City of Berkeley Landmarks Commission

Dear Ms. Crane:

We are writing the Landmarks Commission with deep concern regarding the proposed destruction of an important historic structure, the Payson House, at 1915 Berryman. We should mention that we have resided at our residence at 1929 Yolo Ave for over 30 years and Harald is a native having grown up in Berkeley, attended Berkeley schools and owned and operated a business in Berkeley for over 20 years. Our home is located where Bonita ends at Yolo, one block from the Payson House. We take great pride in the architectural character of our neighborhood which so many of us have invested in to maintain and preserve only to find a rapacious developer helicoptering in to our community to remove a historic structure in the name of profit without respect to our ordinances.

As active walkers, we have always looked with disgust at the architecturally bankrupt development previously permitted such as the apartment buildings at the NE and SW corners of Berryman and Bonita that are hideous architecturally and out of place and proportion to the surrounding neighborhood. We implore you to draw a line and not repeat this horrible period in Berkeley's history that has left us with soulless apartment buildings out of character and outsized with respect to their surroundings.

We now face an out of town developer proposing another development that, like these two apartment houses and so many others, replaces architecturally distinctive and historically distinctive structures for soulless structures that neither fit into the neighborhood nor are consistent with the Neighborhood Preservation Ordinance (NPO) which was enacted as result of the wave of similar development that nearly destroyed Berkeley's character.

As homeowners and long time residents and a native Berkeleyan, we respectfully request that the Commission deny the application to demolish this historic and architecturally significant structure and instead limit development to responsible restoration and appropriate modification to allow multiple units within the existing structure. We also plead with the Commission to take action against the developer for their illegal, shocking and arrogant destruction of the coastal live oaks on the property. At the very least, this should be grounds for denying demolition of the Payson House based on their cavalier disregard of our coastal live oak ordinance. How is it possible, with our active planning department, that these trees were removed without permits and that the surveyor's maps show none of these trees despite the maps having been prepared prior to their removal? Shame on the developer.

We encourage the City to support higher density housing where it already exists and consistent with the NPO and to respect the historic character of our neighborhoods and historic structures. The Payson House must be granted landmark status out of respect for many reasons including but not limited to:

- 1) William Payson was the kind of Berkeleyn we should honor and respect as a political reformer who fought against corruption in politics, fought for fair voter representation, and was a leader in the development of the First Unitarian Church of Berkeley.
- 2) The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
- 3) It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
- 4) Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
- 5) It would preserve green space around the Payson house.
- 6) It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please resist the lure of inappropriate development by a outside developer who has already demonstrated their noncompliant approach to construction with a previous project in Berkeley and the illegal removal of precious coastal live oaks.

We implore you to grant landmark status to preserve the Payson House and respect our neighborhood's character, desires and the intent of the NPO.

Respectfully,

*Harald & Renee Leventhal*

Harald & Renee Leventhal  
1929 Yolo Avenue  
Berkeley, CA 94707

**Crane, Fatema**

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**From:** Sowko Sowko <sowko@sbcglobal.net>  
**Sent:** Saturday, July 18, 2020 4:40 PM  
**To:** Crane, Fatema  
**Subject:** 1915 Berryman, Payson House, Landmark Status

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Fatema Crane  
Landmark Commission  
City of Berkeley

July 18, 2020

Our family is in support of giving the Payson House at 1915 Berryman Landmark Status. Our neighborhood had believed it was protected under the Neighborhood Protection Ordinance (NPO). We have been blindsided by the proposed demolition of Payson House and its replacement with a 10 unit, 35 foot high development.

We have lived at 1203 Bonita for over thirty years and raised our three children, Sara, Sam and Scott here. We have walked by the Payson House nearly everyday with children or dogs. We cherish the semi rural setting of this historic 1889 home of William Payson. It's green, park like setting is unique in Berkeley and is in deep contrast to the huge apartment buildings across the street on Berryman and Bonita Ave. The Payson House is the only remaining structure at the Berryman/Bonita intersection. The NPO was created to save Berkeley's neighborhood's character. This unique shingled Victorian with its sweet gabled roof and gabled dormer can be lovingly restored/renovated to maintain it's character and setting. It doesn't need to be torn down. We have spent the last thirty years restoring our own Brown Shingle home at 1203 Bonita as many of our neighbors have done. We believe that with fitting modifications to the existing Payson House it can be preserved while supporting increased housing.

We want to restate the Payson House history. It was built in 1889 in a rustic Victorian style. It gives our neighborhood a unique country feel. The parcel next door to the Payson House was being considered for the location of Live Oak Park, possibly due to the number of live oaks in the area. How is it possible that the new owners were able to remove several live oaks on the property soon after they purchased it without permits? How is it possible that the surveyors' map shows none of the live oak trees when it was done prior to their removal?

The Payson House was constructed by Lord & Boynton who built the famous Peralta Park Hotel in 1889. There are only five remaining structures built by Lord & Boynton in Berkeley. William Payson, the original owner, was a major leader in the First Unitarian Church of Berkeley that fought against political corruption. Another resident of the Payson House was Charlotte Elizabeth Bodwell Morgan. She was a part of the Carmel and Berkeley Art Colonies. Payson House has a significant historical past.

Please consider the Payson House for Landmark Status. It is a little slice of 1880's semi rural Berkeley with a significant historical past in our neighborhood and we cherish it. My three children walked by it everyday on their way to ML King Middle School and then to Berkeley High. A calm bit of history in these tumultuous times. It means a great deal to our Berkeley neighborhood.

Thank you,  
Sally and Elmer Sowko  
1203 Bonita Ave.  
Berkeley, CA 94709

**Crane, Fatema**

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**From:** Ellen Weinreb <ellenbethw@hotmail.com>  
**Sent:** Sunday, July 19, 2020 7:35 PM  
**To:** Crane, Fatema  
**Subject:** Re: In Support of Landmark Status for 1915 Berryman St

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resending...with correct spelling of your name. 😊

To Fatema and the LPC,

I am writing to express my support for the preservation of 1915 Berryman for Landmark or Structure of Merit status. I am a neighbor on Berryman. We bought our house 17 years ago largely for the oak trees in our back yard, the historic creek running through the block, and the historic Live Oak Park up the street.

I also bought our house for the history surrounding the neighborhood. I love walking by 1915 Berryman St for its rustic Victorian style and its country feel- it gives me a little hint of what Berkeley used to look like. I would love for it to be restored rather than torn down. Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. Renovation and restoration of historic homes helps preserve the historic character of our distinctive Berkeley neighborhood.

1915 Berryman Street is the oldest house in our district having been constructed in 1889. It was built for William Payson, a leader in the development of the First Unitarian Church of Berkeley who fought against corruption in politics. The architects, Lord&Boynton, were well known and precursors to Bernard Maybeck. This house at 1915 is one of only five houses remaining by Lord&Boynton.

Thank you for your consideration,  
Ellen Weinreb

**Crane, Fatema**

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**From:** Jerome Taylor <jmjb7@earthlink.net>  
**Sent:** Tuesday, July 21, 2020 2:20 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Application for 1915 Berryman

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Please include the following as to the Landmark Application for 1915 Berryman Street;

**In Support of the Landmark Application for 1915 Berryman Street**

There are additional historic structures in the immediate vicinity of the Payson House beyond those described in the landmark application for that property. The house at 1235 Bonita, directly across Bonita from 1915 Berryman was built in 1905 for James Sather Hutchinson (1857-1959). The house was built in the Chalet style, in keeping with his love of mountains.



James Hutchinson's father, and later himself, were chief clerks for Peder Sather's bank in San Francisco. James was an executor of Jane K. Sather's will. James was an attorney in San Francisco for 60 years and appeared in court on his 90<sup>th</sup> birthday. He was a mountaineer and an environmentalist. He was most noted for being an explorer of the Sierra Nevada. Born in San Francisco, Hutchinson attended the University of California, Berkeley and then transferred to Harvard University where he received an A.B. degree in 1897. He attended the Hastings College of Law and received his LL.B. in 1899.

After a trip to the top of Mount Shasta James become fascinated with mountains and turned his attention to the Sierra Nevada. Along with Joseph N. LeConte and Duncan McDuffie, he pioneered a high mountain route in 1908 from Yosemite National Park to Kings Canyon, roughly along the route of the modern John Muir Trail. In 28 days, they completed a trip of 228 miles through the high mountains, including several previously unexplored sections. In 1920, he led an expedition from the Giant Forest to the Roaring River country, including the first trip over Colby Pass. His first ascents of Sierra peaks include Mount Sill and North Palisade in 1903, Mount Humphreys in 1904, Mount Mills and Mount Abbot in 1908 and Black Kaweah in 1920.

Hutchinson became a charter member of the Sierra Club as a college student (along with his good friend Joseph LeConte, the son of the founder of the club), and was active in the Club throughout his life, including serving as a director from 1903 through 1908. He served as editor of the Sierra Club Bulletin in 1903 - 1904 and also in 1925. An avid participant in cross country skiing and snow-shoeing, he established the Sierra Ski Club in the early 1920s with his brother Lincoln Hutchinson and William Colby, Joseph N. LeConte, Duncan McDuffie, and others. In 1924 and 25 they built, by hand from nearby trees and stone, a lodge at Norden near Donner Pass, which that small club used for nearly 30 years. The lodge was designed by fellow club member Walter Radcliff, the noted Berkeley architect. In 1955, its members all elderly, the Sierra Ski Club was disbanded, and its lodge and land holdings were donated to the Sierra Club. The lodge was renamed Hutchinson Lodge after the brothers, and is still in use.

James Hutchinson occupied the property at 1235 Bonita until 1935 when he moved to a house on Panoramic Way in Berkeley to be near his brother and other members of the Sierra Club.

The property at 1915 Berryman and most of the properties described in the landmark application are within the Codornices Creek riparian corridor. Despite a century and a half of development in this area the trees that are a major part of the riparian corridor are evident on the satellite image of the area (below). The corridor shows as a line of green across the center of the image. The Codornices riparian corridor is a part of the natural history of Berkeley. The presence on the creek, both esthetically and as a source of water to the Berryman Water Company, were a major factor in the development of North Berkeley. To maintain the corridor the space for the trees that are fundamental to the ecology of the corridor must be preserved.



*Codornices Creek Riparian Corridor*

Sincerely,

Margaret Pillow and Jerome Taylor, present owners of 1235 Bonita Ave.

**Crane, Fatema**

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**From:** Jerome Taylor <jmjb7@earthlink.net>  
**Sent:** Tuesday, July 21, 2020 2:24 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In support of Landmarking 1915 Berryman Street

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We urge the commission to approve landmark status for the historic structure at 1915 Berryman Street. It and many other buildings in the area are an important part of the history of Berkeley. Destroying this building would seriously degrade our neighborhood.

Jerome Taylor  
Margaret Pillow

**Crane, Fatema**

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**From:** John Wadman <johnwadman9@gmail.com>  
**Sent:** Tuesday, July 21, 2020 11:21 AM  
**To:** Crane, Fatema  
**Subject:** The Payson House at 1915 Berryman St Landmark Support Letter

**WARNING:** This email originated outside of City of Berkeley.  
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Dear Landmark's Commissioners, Attn: Fatema Crane:

John and Helen Wadman have lived at 1216 Bonita Ave for nearly 50 years, and have enjoyed the rustic house and property at 1915 Berryman. Our son Michael lives in Brooklyn NY and is no stranger to tree-lined streets. Recently he visited us and told us when he walked up from No. Berkeley BART to our house on Bonita he admired the character of the streets, houses, and trees along the way.

It is this feeling of houses or abodes nestled among trees that is epitomized by 1915 Berryman.

Our pioneer ancestors built their houses among trees for shelter and I feel it is in our DNA. The property in question continues this tradition. The apartments planned by the new owner are totally not in keeping with the feel of the neighborhood. It would be tragic and senseless to have the house demolished and the trees removed.

I urge you to provide Landmark Status to the Payson House to protect it.

John Wadman, 1216 Bonita Ave., Berkeley, CA 94709

**Crane, Fatema**

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**From:** Fran Cappelletti <fcapp8@gmail.com>  
**Sent:** Tuesday, July 21, 2020 7:36 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Support for Payson House Designation

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Dear Commissioners,

I am writing in support of the significance of the Payson House at 1915 Berryman Street.

Consider that the house was built in 1889 by Lord & Boynton, one of only five by that firm still standing today and the oldest surviving in a large portion of Berkeley. One of the first houses built north of Berryman Street, it is historic and unique.

Consider that the house was built for lawyer William Hawes Payson, cofounder of the First Unitarian Church of Berkeley in 1891. A political reformer, he fought for fair voting and against graft, helping in the movement that brought down San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire. The Paysons were an important part of the neighborhood then.

Consider that this house typifies the neighborhood that was and it preserves that feeling today in integrity and appearance, despite alterations from the first half of the 20<sup>th</sup> Century. It is an important part of the neighborhood to residents today.

Please consider and support the designation of the Payson House as a City of Berkeley Landmark, keeping it an important part of the neighborhood for the future.

Sincerely,  
Fran Cappelletti

**Crane, Fatema**

---

**From:** Mark Morris <mark@morriscpa.com>  
**Sent:** Wednesday, July 22, 2020 4:40 PM  
**To:** Deborah Kropp; Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Payson House Landmark Status

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Dear Landmark Preservation Commissioners ,

I am a 40 year resident at 1209 Bonita and I join my neighbors in the request to preserve the historic home at 1915 Berryman , the Payson house .

I have read the many other letters that have previously been sent, and at this point in time, I know you have all the necessary information and history regarding this dwelling.

Knowing this, I am going to just mention two items of importance once again.

1. The long list of complaints about this same developer from neighbors at his previous project, built on 2212 10th St. in Berkeley.
2. The fact that this developer deceived his new neighbors, our whole neighborhood, a surveyor, an arborist, and the city of Berkeley by cutting down two mature oak trees clandestinely and illegally. That alone should tell us all!! Personally, due to this illegal action by this developer, I think he should be banned from future projects in Berkeley.

Sincerely,  
Mark Morris

--

Regards,  
Mark

2200 Powell Street, Suite 990  
Emeryville, California 94608  
510-658-9080, ext. 201 (phone)  
510-658-9215 (fax)

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**Crane, Fatema**

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**From:** Jane Morrison <cosmici@icloud.com>  
**Sent:** Wednesday, July 22, 2020 6:18 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Designation for 1915 Berryman

**WARNING:** This email originated outside of City of Berkeley.  
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July 22, 2020

Ms. Fatema Crane  
 Secretary City of Berkeley Landmarks Commission

Dear Ms. Crane:

I am writing to support the designation of the Payson House at 1915 Berryman as a Berkeley Historic Landmark. I grew up in Berkeley and have lived on Martin Luther King with a backyard close to the Payson home for almost 50 years.

Every long-time resident here knows there are two homes of particular historical significance nearby, "The Old Farm House" at Bonita and Berryman and the Maybeck house at Berryman and Martin Luther King. For decades, savvy locals would point to the corner on MLK and Berryman and say "that's a Maybeck," or "that was Maybeck's studio." It's an interesting structure, but its history requires inside knowledge. On the other hand, Payson house architecture announces its history. When I was a child in the 1970s, my friends and I secretly trespassed onto the Payson House estate to play "olden days" and pretend we were wearing hoop skirts. In other words, children who lived in early 20<sup>th</sup> century-brown shingle homes knew instinctively that the Payson house belonged to another century and could take you to another time.

The home's history underscores the neighborhood's perceptions:

- • *The Payson House It is the oldest structure in the neighborhood* bordered by Shattuck, San Pablo, Rose Street and Hopkins Street. (Please attachedThompson discussion of this point)
- 
- • The architect was a *master builder*. The original owner William Payson chose *Lord & Boynton* to construct the house. It was completed in 1879, the same year Lord & Boynton built the famous Peralta Hotel. Maybeck arrived in Berkeley thirteen years later and build a home around the corner from the Payson house. (See attached rfor a complete list of Lord and Boynton's work).
- 
- • Once established at 1915 Berryman, Henry Payson was a significant community leader and institution builder. Born in Boston, he helped bring Unitarianism to the West Coast. Payson co-founded the Berkeley Unitarian Church, and served as President of the annual Pacific Coast Unitarian Conference, presiding over an event that helped build the establish Unitarian Church as a west coast institution.

The Payson house tells the story of Berkeley's rural Victorian past. The Old Farm House is a brown-shingled Victorian standing in a shady Live Oak grove. It's from an era when wealthy San Franciscans built hunting lodges in Berkeley because there were acres of wild land and big game the hills. That rural history is palpable if you stand in front of the house today. You can feel the stillness of the 1800s. There's a story to be told about the relationship between Berkeley's

vernacular brown-single Victorians and the arrival of the Arts and Crafts movement in the 20<sup>th</sup> century. In that sense, the Payson house and the Maybeck around the corner are having a conversation.

In addition, the home's natural setting is part of its historic value. It puts the house in context and implies the way people used to live. I was not surprised to learn that the house is set on a block that may have been considered as a site for Live Oak Park. The interior of the block has a park-like setting. Its full of Live Oaks and Redwood trees fed by Cordornices creek. The amount of wild life these trees support is remarkable. In my backyard, Cooper's hawks, song birds, woodpeckers, and humming bird are nesting and living in Oak trees. Monarch butterflies appear every year eating the milkweed by the creek. Unbelievable to me, there is a blue Herron sighting almost every year. I think we're a stop on a number of fly-ways.

In sum, the Old Farm House is the foundational home of this neighborhood, a loadstone that grounds the history and natural world of the Live Oak Park area. In a neighborhood with many modern apartment complexes, and homes built throughout the 20<sup>th</sup> century, nothing else like it remains.

Finally, my concern is larger than the preservation of this home alone. I'm afraid the strategy of this developer will be repeated. If successful, the demolition of the Payson home will support Berkeley's cowboy developer's playbook. The core rule is simple: ignore city process, hide violations, and plead ignorance. The Old Farm Houses' Live Oak trees disappeared from the survey map before they were cut down. The intention is plain. Removing the trees rather than building in the environment increases profit per square foot. The developers plan doesn't fit on the lot without removing the Live Oaks. They were hidden first, and now they're gone.

Increasing the affordable housing stock in Berkeley does not require breaking the redwood bones of a historic building and replacing it with cheaper building materials sold at a higher price. This is not a community service, but a strategy to pocket [dot.com](http://dot.com) profits that can inflate housing prices and can led to homelessness.

At this moment, Berkeley exists in a stark two-tier economy, made almost violent by a swelling pandemic. Real estate prices are tied to high-income folks working for tech companies in San Francisco, while many locals in other industries are losing their jobs, healthcare, and ability to pay rent. In 2009, there were foreclosure signs all over North Berkeley. A classic community solution to this kind of boom and bust economy is repurposing and sharing, because its so affordable. During World War II, the Payson house expanded to include three families as industrial workers moved to the Bay Area—a common strategy.

The Old Farm House that defines our neighborhood has breathed in and out with the cultural and economic changes in Berkeley for almost one hundred and fifty years. Its deserves protection as a historical site, a compass point, and a continuing resource to the community. Facebook's motto and the developers strategy of "move fast and break things," is not the right course for our time. Please grant the Payson House the Landmark status it deserves.

Sincerely,

Jane Morrison

1241 Martin Luther Jr. Way

Berkeley, CA

The evidence that Payson house property abuts a site considered for the location of Live Oak Park is found in this 1914 map published by Lederer, Street & Zeus. (see image below).



**Crane, Fatema**

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**From:** jennifer osborne <jennifer.d.osborne@gmail.com>  
**Sent:** Wednesday, July 22, 2020 10:41 AM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Landmark Status for Payson House

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**Landmarks Preservation Commission**  
**Fatema Crane, Secretary**

Dear Landmark Preservation Commissioners,  
I have lived at 1236 Bonita Avenue since 1960 when my parents bought the house. The house shares a property line with the Payson House. My house was designed by Lillian Bridgman who was an associate of Bernard Maybeck. I have observed the neighborhood changes over the years as two large elegant single family homes were destroyed and two apartment buildings with no architectural merit were built in their place. Part of the character and solidity of the neighborhood has been maintained by the presence of the Payson house. It stands as a reminder of a past time when large lots and historic trees were part of the identity of Berkeley and what drew renowned architects to create beautiful homes here. I met the new owner of 1915 Berryman by accident and he told me he was planning to tear down the building and put in six units. He subsequently illegally cut down two oak trees and submitted a proposal to cram 10 units onto the lot. The Neighborhood Preservation Ordinance was enacted to protect against such rapacious developments. You can imagine what Berkeley would look like if every developer were given carte blanche to destroy older homes, remove the “urban forest”, and build out to the property lines anything that would make them the most money. That is precisely the reason your commission exists! I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status. The Payson House was constructed in 1889 and is the oldest house in our area.

- 1.
2. The
3. original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
- 4.
- 5.
6. William
7. Payson was a leader in the development of the First Unitarian Church of Berkeley.
- 8.
- 9.
10. The
11. Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
- 12.
- 13.

14. It
15. will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
- 16.
- 17.
18. Its
19. renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
- 20.
- 21.
22. It
23. would preserve green space around the Payson house.
- 24.
- 25.
26. It
27. would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.
- 28.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

Regards,  
Jennifer Osborne  
1236 Bonita Avenue

**Crane, Fatema**

---

**From:** Robert B. REICH <rreich@berkeley.edu>  
**Sent:** Wednesday, July 22, 2020 8:19 PM  
**To:** Crane, Fatema; lpc@cityofberkeley.info  
**Subject:** Preservation of the Payson House

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Dear Landmark Preservation Commissioners,

My wife and I moved into our house at 1230 Bonita Avenue, two doors down from the Payson House, fourteen years ago. One reason we moved into the area was the abundance of older homes dating from the late nineteenth and early twentieth centuries, offering the charm of an older era of Berkeley, along with the lovely Codornices Creek that runs through the neighborhood.

The character of the neighborhood is anchored by the Payson House, built in 1889 and the oldest in the area, and by the old live oaks surrounding it. We walk past it every day. We were frankly appalled to learn that the new owner of the Payson House was planning to tear it down, and already had illegally cut down two of the oak trees in order to squeeze ten units onto the lot. It is no small irony that the original owner of the house, William Payson, was a political reformer who fought against the illegal practices and corrupt politics of the late nineteenth century.

We urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. If historic preservation means anything, it means maintaining enough of the character of an older neighborhood to remind people of its history and provide continuity with the present. Development for the sake of development makes no sense when it imposes social costs like this.

Sincerely,

Robert B. Reich

Perian Flaherty

**Crane, Fatema**

---

**From:** Magdi Vanya <magdalena.vanya@gmail.com>  
**Sent:** Wednesday, July 22, 2020 6:13 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In support of 1915 Berryman Street Landmark Status

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Landmarks Preservation Commission

Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on 1911B Berryman Street, the lot adjacent to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house
8. It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

Regards,

Magdalena Vanya  
1911B Berryman St

**Crane, Fatema**

---

**From:** teacherrosenberg@yahoo.com  
**Sent:** Friday, July 24, 2020 7:30 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** In Support of 1915 Berryman Street Landmark Status

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Landmarks Preservation Commission

Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Berryman Street, close to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The house's architectural features such as its gable roofs, bay windows, and other features reflect the house's historical time. These features show it retains its integrity of location, setting, feeling and association.
3. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
4. Its renovation and restoration would preserve a historic home supporting the preservation of the character of our Berkeley neighborhood.
5. It would preserve green space around the Payson house.
6. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
7. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.

Please honor our requests to preserve the character of our neighborhood by granting Landmark status to the Payson House and honoring the Neighborhood Preservation Ordinance.

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Regards,  
Elizabeth Rosenberg

**Crane, Fatema**

---

**From:** Rachel Callaghan <rachel.callaghan@highaltsys.com>  
**Sent:** Sunday, July 26, 2020 1:47 PM  
**To:** Crane, Fatema  
**Subject:** The Payson House at 1915 Berryman Street

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Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to deny permitting expansion and designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Milvia Street, close to this historic house. I have heard that the developers have already been problematic in other sites, and at this site they manipulated the lot lines and cut down protected oak trees that added to the historic character of the area as well as provided habitat for birds.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.
5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house.
8. It would preserve the house's architectural features such as its gable roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

I have heard that the developers plan to make a fortune from destroying the character of the neighborhood, which is a mile plus from BART in either direction (to Downtown BART or North Berkeley BART). This is NOT a low-income development, but more million-dollar-plus housing, ten units with one (1) low-income. There is already a traffic burden on Berryman/Bonita, with three large high-density housing properties: one at Berryman and Milvia, one at Bonita and Berryman, one at Berryman and the Alameda, as well as smaller apartment complexes. This will make traffic difficult and street crossing dangerous for

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children attending Martin Luther King school (they often enter through the edible schoolyard) as well as those attending the School of the Madeleine on Milvia. It will also reduce open-space and runoff drainage that the fairly large and unpaved lot now provides—because of the high density housing on sloped Berryman, this could lead to storm drain problems with runoff during high-rain winters.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and adhering to the Neighborhood Preservation Ordinance.

Regards,  
Rachel Callaghan MD

**Crane, Fatema**

---

**From:** C\_Ellis <aminor315@gmail.com>  
**Sent:** Sunday, July 26, 2020 9:22 PM  
**To:** Crane, Fatema  
**Subject:** Payson House Landmark Status

**WARNING:** This email originated outside of City of Berkeley.  
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Dear Commissioners:

This is to urge the granting of Landmark status to the Payson House, 1915 Berryman Street.

I am a homeowner in Berkeley, at 1251 Martin Luther King, Jr., a short block's walk from the Payson House. For more than thirty years I have been a walker in the neighborhood (of children, of dogs, with friends, alone) and the Payson House has always been a bright spot in those walks. In a neighborhood that has already suffered more than enough characterless, multi-unit construction, the Payson House is a standing inheritance of grace, proportion, and quality residential building.

Besides being valuable in its own right, the Payson House is freighted with the history of those who built the house and those who lived there, our neighbors in time, and that history and their contributions are part of the Berkeley we know. Thoughtful and informed submissions already on file in this matter demonstrate that those lives are woven into the Berkeley we know, in religion, civic reform, social action, and our larger history in ways beyond what we can know. The Payson House is a living part of that fabric.

Architecturally, what happens if the Payson House is lost is already visible, directly across Bonita and directly across Berryman. Anyone who knows the intersection but cannot call to mind those buildings can be forgiven—they are forgotten as fast as noticed. The Payson House, on the other hand, deserves not just to be remembered but to go on being seen and enjoyed by many future walkers in Berkeley. It richly deserves Landmark status.

Yours truly,

Charles A Ellis  
1251 M L King Jr Way  
Berkeley, CA 94709

**Crane, Fatema**

---

**From:** Ann Harlow <annharlow@pacbell.net>  
**Sent:** Saturday, July 25, 2020 9:27 PM  
**To:** Landmarks Preservation Commission; Crane, Fatema  
**Subject:** 1915 Berryman

WARNING: This email originated outside of City of Berkeley.  
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Dear Landmarks Preservation Commission:

As the current Secretary of the Board of the Unitarian Universalist Church of Berkeley—and also of the Berkeley Historical Society—I was intrigued to learn of the Payson House at 1915 Berryman, built for the very first secretary of the church. I am writing to encourage the landmarking and preservation of the house for the many good reasons outlined in the application. Besides the Unitarian connection and Payson’s role as a political reformer, it is important that the house be preserved as one of the few remaining buildings by Lord & Boynton. I hope you will landmark it and recommend against its demolition!

Sincerely,

Ann Harlow

**Crane, Fatema**

---

**From:** Deborah Kropp <travelbydeborah@earthlink.net>  
**Sent:** Tuesday, July 28, 2020 10:29 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmark Application

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Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear LPC Commissioners,

William Payson, the initial owner of the 1915 Berryman Street house, lived a life upholding exemplary values and beliefs. His legacy is part of the story that has defined Berkeley over the years. We are motivated by his life's example to pursue high standards of excellence in morality and integrity. William Payson's life of strong convictions and social action has enriched the cultural value of the Payson House, making it eligible for Landmark Status.

We are saddened and disheartened by the fighting, dissention and discrimination evidenced throughout our country in our day and age. After William Payson settled in 1889 in the newly constructed rustic Victorian located at what is now 1915 Berryman Street, he spent his years there pursuing the Unitarian Church beliefs of "**love, justice and peace**". As an active member and builder of the Unitarian church community, he sought unity among people of diverse backgrounds and ethnicities. We should give William Payson the honor due him as the promoter of goals which citizens of Berkeley have been striving for over its history and of which we still seek.

We are frustrated and angered by corruption today in national politics and many businesses. William Payson was a political reformer who embodied what many of us in Berkeley strive for today. He fought for **justice, honesty and honorable behavior**. His fight helped bring down deceitful and greedy leaders. We should honor the legacy of William Payson as a political reformer who fought against corruption. Berkeley has been the birthplace for political reformers and at the cutting- edge of social and economic change for the good. William Payson's life is an excellent example of this social focus evidenced in Berkeley's early history.

William Payson, a man of integrity yet humble character, sought goals of high moral value. These are standards we should teach our children and live by. Being showy and flaunting personal wealth were not his style. William Payson didn't live in a house that was highly ornamental and glamorous. He lived in a modest home like the person he himself was. He lived humbly, but was a man whose strivings sought the better good for all.

Yes, there are a number of reasons why the Payson House qualifies for Landmark status. Having discovered the life of the original owner, I am struck by the powerful yet humble presence of a man whose memory can still influence how we live.

I feel honored to live across the street from a house that embodies such a history and story of personal and moral integrity.

Sincerely,

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Deborah Kropp  
1231 Bonita Avenue

P.S. This is my second letter to the Commission regarding Landmark Status for the Payson House.

**Crane, Fatema**

---

**From:** Kathleen Giustino <kathleeng@a1suninc.net>  
**Sent:** Wednesday, July 29, 2020 10:42 AM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Cc:** Kathleen Giustino; Larry Giustino  
**Subject:** 1915 Berryman

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Dear Fatema Crane,  
Landmark Preservation Commission

Re: Landmark Status: Payson House, 1915 Berryman

My husband and I live on "Upper Yolo", with in walking distance of the Payson House located at 1915 Berryman.

The Payson house was built in 1889, it reflects the care in design and construction of an earlier age. The spacious lot is an island of calm in an ever more chaotic world. This home is a lovely highlight of the neighborhood.

The site needs to be preserved and restored to show its value as a local gem, to torn down and replaced.

We believe in higher density building, but not at the cost of ademoishing a house that needs to be exempted from such development. It is a site of value.

Kathleen Giustino

Send your e-mail to these addresses:  
[FCrane@CityofBerkeley.info](mailto:FCrane@CityofBerkeley.info),

Landmarks Preservation Commission  
Fatema Crane, Secretary

Dear Landmark Preservation Commissioners,

I urge the Landmark Preservation Commission to designate the Payson House at 1915 Berryman Street, a City of Berkeley Landmark. I live on Milvia Avenue, close to this historic house.

As presented by trusted historian Daniella Thompson and other neighbors advocating this designation, there are a number of reasons why the house is eligible for Landmark Status.

1. The Payson House was constructed in 1889 and is the oldest house in our area.
2. The original owner, William Payson, was a political reformer who fought against corruption in politics and sought fair voter representation.
3. William Payson was a leader in the development of the First Unitarian Church of Berkeley.
4. The Payson house is one of only 5 remaining structures built by the historically significant building company, Lord & Boynton.

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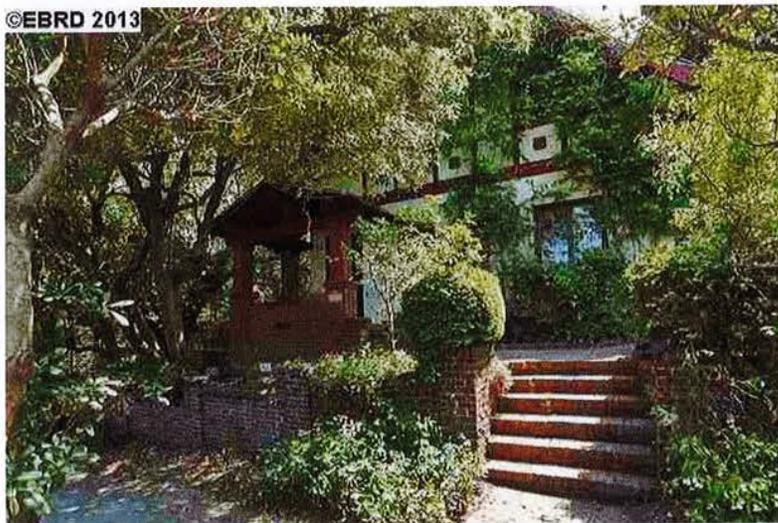
Received

JUL 23 2020

Land Use Planning

### In Support of the Landmark Application for 1915 Berryman Street

There are additional historic structures in the immediate vicinity of the Payson House beyond those described in the landmark application for that property. The house at 1235 Bonita, directly across Bonita from 1915 Berryman was built in 1905 for James Sather Hutchinson (1857-1959). The house was built in the Chalet style, in keeping with his love of mountains.



James Hutchinson's father, and later himself, were chief clerks for Peder Sather's bank in San Francisco. James was an executor of Jane K. Sather's will. James was an attorney in San Francisco for 60 years and appeared in court on his 90<sup>th</sup> birthday. He was a mountaineer and an environmentalist. He was most noted for being an explorer of the Sierra Nevada. Born in San Francisco, Hutchinson attended the University of California, Berkeley and then transferred to Harvard University where he received an A.B. degree in 1897. He attended the Hastings College of Law and received his LL.B. in 1899.

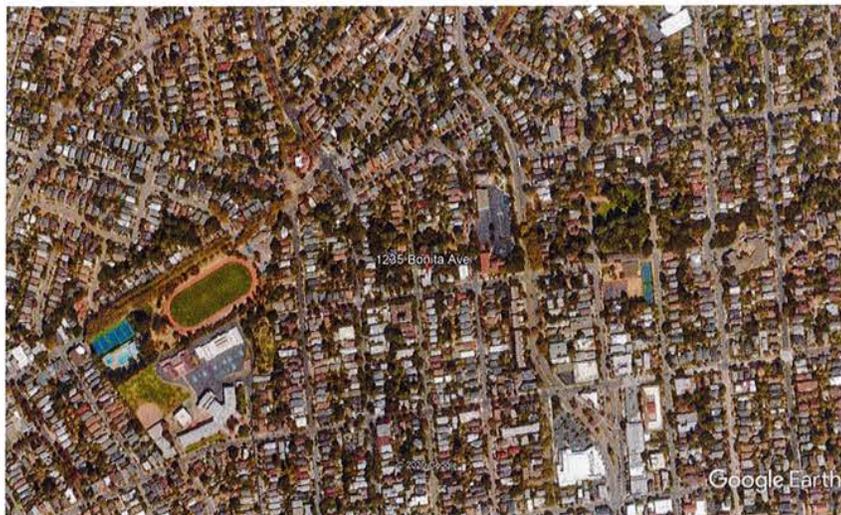
After a trip to the top of Mount Shasta James become fascinated with mountains and turned his attention to the Sierra Nevada. Along with Joseph N. LeConte and Duncan McDuffie, he pioneered a high mountain route in 1908 from Yosemite National Park to Kings Canyon, roughly along the route of the modern John Muir Trail. In 28 days, they completed a trip of 228 miles

through the high mountains, including several previously unexplored sections. In 1920, he led an expedition from the Giant Forest to the Roaring River country, including the first trip over Colby Pass. His first ascents of Sierra peaks include Mount Sill and North Palisade in 1903, Mount Humphreys in 1904, Mount Mills and Mount Abbot in 1908 and Black Kaweah in 1920.

Hutchinson became a charter member of the Sierra Club as a college student (along with his good friend Joseph LeConte, the son of the founder of the club), and was active in the Club throughout his life, including serving as a director from 1903 through 1908. He served as editor of the Sierra Club Bulletin in 1903 - 1904 and also in 1925. An avid participant in cross country skiing and snow-shoeing, he established the Sierra Ski Club in the early 1920s with his brother Lincoln Hutchinson and William Colby, Joseph N. LeConte, Duncan McDuffie, and others. In 1924 and 25 they built, by hand from nearby trees and stone, a lodge at Norden near Donner Pass, which that small club used for nearly 30 years. The lodge was designed by fellow club member Walter Radcliff, the noted Berkeley architect. In 1955, its members all elderly, the Sierra Ski Club was disbanded, and its lodge and land holdings were donated to the Sierra Club. The lodge was renamed Hutchinson Lodge after the brothers, and is still in use.

James Hutchinson occupied the property at 1235 Bonita until 1935 when he moved to a house on Panoramic Way in Berkeley to be near his brother and other members of the Sierra Club.

The property at 1915 Berryman and most of the properties described in the landmark application are within the Codornices Creek riparian corridor. Despite a century and a half of development in this area the trees that are a major part of the riparian corridor are evident on the satellite image of the area (below). The corridor shows as a line of green across the center of the image. The Codornices riparian corridor is a part of the natural history of Berkeley. The presence on the creek, both esthetically and as a source of water to the Berryman Water Company, were a major factor in the development of North Berkeley. To maintain the corridor the space for the trees that are fundamental to the ecology of the corridor must be preserved.



*Codornices Creek Riparian Corridor*

Sincerely,

*Margaret Pillow Jerome Taylor*

Margaret Pillow and Jerome Taylor, present owners of 1235 Bonita Ave.

5. It will preserve the only original structure still standing at the intersection of Berryman Street and Bonita Avenue.
6. Its renovation and restoration would preserve a historic home supporting the preservation of the historical character of our distinctive Berkeley neighborhood.
7. It would preserve green space around the Payson house.
8. It would preserve the house's architectural features such as its hip roofs, bay windows, and other features that reflect the house retaining its integrity of location, setting, feeling and association.

Please honor our requests to preserve the character of our largely historic neighborhood by granting Landmark status to the Payson House and adhering to the Neighborhood Preservation Ordinance.

--

---

Kathleen Giustino  
CFO



A1 Sun, Inc.

[kathleeng@a1suninc.com](mailto:kathleeng@a1suninc.com)

office: (510) 526-5715

<http://www.a1suninc.com>

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**Crane, Fatema**

---

**From:** Crane, Fatema  
**Sent:** Wednesday, July 29, 2020 9:43 PM  
**To:** Crane, Fatema  
**Subject:** FW: 1915 Berryman Street

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**From:** Eugenie Scott <[eugeniescott1@gmail.com](mailto:eugeniescott1@gmail.com)>  
**Sent:** Wednesday, July 29, 2020 3:06 PM  
**To:** Armour, Nicholas <[NArmour@cityofberkeley.info](mailto:NArmour@cityofberkeley.info)>  
**Subject:** 1915 Berryman Street

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Mr. Armour,

I live on the 1200 block of Milvia Street (1218 Milvia), thus very close to the 1915 Berryman St property that has been suggested for Landmark status.

I think this is not a good site for Landmark status. The building is not that special, it hasn't had a particularly unique history, and it's considerably deteriorated from its previous condition. Expanding the site to allow for more than the three rental units it currently supports is quite reasonable.

Berkeley needs the housing! Of course, a 10 story apartment building would be out of place, but something closer to the 3-units that presently characterize the site would be quite acceptable to this neighbor.

Thank you.

Eugenie Scott  
1218 Milvia Street  
510 872 0919

Eugenie C Scott, Ph.D.  
Founding Executive Director, National Center for Science Education, Inc.  
write for address and telephone

[EugenieScott1@gmail.com](mailto:EugenieScott1@gmail.com)

**Crane, Fatema**

---

**From:** Helen Toy <helen\_toy@yahoo.com>  
**Sent:** Wednesday, July 29, 2020 3:34 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** Payson House

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Landmarks Preservation Committee,

As a member of the Unitarian Universalist Church of Berkeley, as a neighbor of the lovely Payson house and grounds, and as someone who cherishes the old brown-shingled homes and ancient oak trees of Berkeley, I urge you to preserve the Payson House at 1915 Berryman Street.

Unitarianism is one of the early religions to become established in Berkeley, and to tear down the first minister's home would be to lose a valuable part of the church's and the city's history.

In addition, the house stands as an anchor for the many older homes that lend charm and early-Berkeley style to both streets that it serves to bookend: Berryman and Bonita. To lose the house, would be to greatly lessen the attractiveness of several blocks in the neighborhood.

Part of what makes Berkeley Berkeley and maintains its high standards of livability and property values are lovely old tree-surrounded homes like the Payson house.

Please preserve the home, both for those who live here now and for those to come.

Sincerely,  
Helen Guerrant Toy  
1771 Beverly Place  
Berkeley 94707

**Crane, Fatema**

---

**From:** Deborah Kropp <travelbydeborah@earthlink.net>  
**Sent:** Sunday, July 19, 2020 2:42 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** The Payson House Landmark Support Letter

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Fatema Crane  
 Landmark's Commission  
 City of Berkeley

Dear Landmark's Commissioners,

I am writing you in **support of giving Landmark Status to The Payson House** at 1915 Berryman Street. Built in 1889, the Payson House is the oldest house in our area and has a fascinating history, with prominent and distinguished owners and builders. That its original owner, **William Payson**, was a leading force in the development of the First **Unitarian Church** of Berkeley is particularly of interest, as so many of the Unitarian Church members had a significant role in the development of our city.

It is appropriate that William Payson be honored, as he was a **political reformer** and lawyer who fought against corruption in politics. In her historic account of the Payson House, Daniella Thompson shared how William Payson "**sought after fair voter representation and was active in the anti-graft movement** that led to the prosecution of the corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef after the 1906 Earthquake and Fire." It is ironic how his **actions, based on strong moral values, contrast with those of the new property owner**, who has used dishonest means—through the **illegal removal of oak trees**—to promote his large development project on the site.

Charlotte Elizabeth Bodwell Morgan, who was part of the Carmel and Berkeley Art Colonies, was an early resident in the house. As an artist myself, I find it noteworthy that a **woman artist** be acknowledged.

It is intriguing that The Payson House was constructed by the **Lord & Boynton Construction Company**, which also built the Historic Peralta Park Hotel. **Architectural features**, still visible after two exterior modifications, tell a story of the Victorian influence in building so early in our Berkeley history. The Payson House is now the **only original structure** still standing at the intersection of Berryman Street and Bonita Avenue, due to the unfortunate demolition of other historic houses there and throughout the city in the 1950s, 1960s, and early 1970s.

Since those years, I had thought that Berkeley homes were protected from being demolished and replaced by multiple units because of the 1973 Neighborhood Preservation Ordinance. Thus, I was shocked to hear of the demolition plans for The Payson House by the current developer.

My husband, Alan Kropp, and I have lived across the street from The Payson House since 1987, when our three children were very young. I have loved looking over at the old wood-shingled, rustic Payson House, sheltered by a forest of oak trees and other plants. Its presence has given a country feel to our block. When the property was recently sold, I was looking forward to the house being renovated by the new owners.

The Payson House does not need to be torn down—it can and should be restored. We bought our home at 1231 Bonita Avenue in December of 1986; it was in a state that needed major renovation work (following two fires and

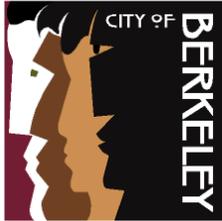
funky, odd additions, structural damage, a huge aluminum window in front, and deferred maintenance throughout, etc.). It was exciting and challenging to bring our home back to life, to make it beautiful. A number of us on Bonita Avenue have renovated old homes and find that process edifying. **There are architectural features on older houses that, when renovated, give a grace and beauty to a house that one cannot achieve with modern construction.** To have an historic dwelling like The Payson House demolished would be tragic and heartbreaking. To me, it would be like losing an old friend.

One of our neighbors has shared how three people he took by The Payson House when it was for sale wanted to purchase and renovate it. He also shared some interesting ideas as to how it could be restored and adjusted in minor ways that would keep the historic integrity of the original architecture, while also allowing for more housing units.

In this time of restrictions due to the coronavirus, I was surprised by how easy it was to get **65 signatures on a Landmarks Petition** to have The Payson House designated as a Landmark. Concerned neighbors and others made the extra effort to come to my front porch to sign the petition. Many residents in this community strongly support Landmark Status for The Payson House. We ask that you do so as well.

Best regards,

Deborah Kropp



Office of the City Manager

INFORMATION CALENDAR  
October 13, 2020

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Jordan Klein, Interim Director, Planning and Development Department  
Subject: LPO NOD: 1915 Berryman Street/#LMIN2020-0003

INTRODUCTION

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

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission (LPC/Commission) has denied City Landmark and Structure of Merit status to the property at 1915 Berryman Street. This action is subject to a 15-day appeal period, which began on September 28.

BACKGROUND

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

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

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

**LPC Hearing – August 6, 2020**

At the hearing on this matter, the LPC voted 7-2-0-0<sup>1</sup> to deny the request of 65 Berkeley residents to grant either City Landmark or Structure of Merit status to the subject residential property, which was originally constructed in 1889. According to the LPC's findings, the property exhibits insufficient architectural merit to warrant designation status, lacks necessary aspects of historical integrity, and does not represent the more significant contributions of persons important to history. Approximately 80 people addressed the Commission during the public comment on this item; the majority of speakers expressed opposition to a designation, citing the property's lack of obvious historical merit and the importance of permitting a proposed demolition and new housing project for the site to move forward (Use Permit application #ZP2020-0045, currently under review).

**ENVIRONMENTAL SUSTAINABILITY**

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

**POSSIBLE FUTURE ACTION**

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

**FISCAL IMPACTS OF POSSIBLE FUTURE ACTION**

There are no known fiscal impacts associated with this action.

**CONTACT PERSON**

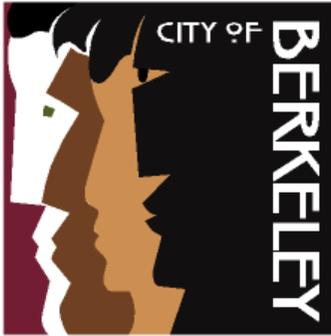
Fatema Crane, Landmarks Preservation Commission Secretary, Planning and Development, 510-981-7410

**Attachments:**

1: Notice of Decision – #LMIN2020-0003 at 1915 Berryman Street

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<sup>1</sup> Vote: 7-2-0-0; Yes: Abranches Da Silva, Adams, Crandall, Enchill, Johnson, Montgomery, Schwartz; No: Finacom, Allen; Abstain: none; Absent: none.



LANDMARKS  
PRESERVATION  
COMMISSION  
NOTICE OF DECISION

**DATE OF BOARD DECISION: August 6, 2020**  
**DATE NOTICE MAILED: September 28, 2020**  
**APPEAL PERIOD EXPIRATION: October 13, 2020**  
**EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): October 14, 2020<sup>1</sup>**

## 1915 Berryman Street

### The Payson House

**Landmark application (#LMSAP2020-0003) for consideration of City Landmark or Structure of Merit designation status for a residential property.**

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

- City Landmark or Structure of Merit designation status, pursuant to Berkeley Municipal Code Section 3.24.110.A-B

**APPLICANT:** Daniella Thompson, 2663 Le Conte Avenue, Berkeley

**ZONING DISTRICT:** Residential – Southside (R-S)

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

**The application materials for this project are available online at:**

<http://www.cityofberkeley.info/zoningapplications>

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

LANDMARKS PRESERVATION COMMISSION  
NOTICE OF DECISION  
City Landmark designation status - #LMIN2020-0003  
1915 Berryman Street – The Payson House  
September 28, 2020  
Page 2 of 4

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**FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE**

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**COMMISSION VOTE: 7-2-0-0**

**YES:** ABRANCHES DA SILVA, ADAMS, CRANDALL, ENCHILL, JOHNSON,  
MONTGOMERY, SCHWARTZ

**NO:** ALLEN, FINACOM

**ABSTAIN:** None

**ABSENT:** None

**Note New Methods for Submitting Appeals during Shelter-In-Place Order**

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

To appeal a decision of the Landmarks Preservation Commission to the City Council during the 2020 City Council Shelter-In-Place Order, you must:

1. Mail a letter clearly and concisely setting forth the grounds for the appeal with a check or money order for required fees to the City Clerk, located at 2180 Milvia Street, 1<sup>st</sup> Floor, Berkeley, 94704. The City Clerk's telephone number is (510) 981-6900.

OR

Alternatively, you may email your complete appeal and all attachments to the Planning Department at [planning@cityofberkeley.info](mailto:planning@cityofberkeley.info) and include a telephone number where you can be reached during the day. Planning Department staff will call you within three business days to obtain payment information for the required fees by credit card *only*.

- a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
    - a. The basic fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual

LANDMARKS PRESERVATION COMMISSION  
NOTICE OF DECISION  
City Landmark designation status - #LMIN2020-0003  
1915 Berryman Street – The Payson House  
September 28, 2020  
Page 3 of 4

- filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.
- b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is \$500, which may not be reduced.
  - c. The fee for all appeals by Applicants is \$2500.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the landmark designation will be final on the first business day following expiration of the appeal period.

**NOTICE CONCERNING YOUR LEGAL RIGHTS:**

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

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

LANDMARKS PRESERVATION COMMISSION  
NOTICE OF DECISION  
City Landmark designation status - #LMIN2020-0003  
1915 Berryman Street – The Payson House  
September 28, 2020  
Page 4 of 4

- 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.

**PUBLIC COMMENT:**

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

**FURTHER INFORMATION:**

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

**ATTACHMENTS:**

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- 1. Findings for Denial
- 2. Landmark application



**ATTEST:** \_\_\_\_\_  
Fatema Crane, Secretary  
Landmarks Preservation Commission

Cc: City Clerk  
Daniella Thompson, application author  
Deborah Kropp, representative of 64 Berkeley resident applicants  
Alon and Ravit Danino, property owners

ATTACHMENT 1, PART 2

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FINDINGS FOR DENIAL

AUGUST 6, 2020

## 1915 Berryman Street – The Payson House

**Landmark application #LMIN2020-0003 for the consideration of City Landmark or Structure of Merit designation status for a residential property.**

### PROJECT DESCRIPTION

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City Landmark designation of the property 1915 Berryman Street

### CEQA FINDINGS

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1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.4 of the CEQA Guidelines (the project will be rejected or disapproved by the public agency).

### LANDMARK PRESERVATION ORDINANCE FINDINGS

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2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A and B of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property and extant main building: possess insufficient architectural merit; lack necessary aspects of integrity; and do not represent the more significant contributions of persons important to local history. As such, the property and main building do not warrant designation as a City Landmark or Structure of Merit either individually or as a member of a group of related sites. Therefore, the Commission disapproves the application for designation status.

Attachment 1, Part 3

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

*Land Use Planning  
Received  
June 8, 2020*

**William H. & Esther L. Payson House**  
1915 Berryman Street  
Berkeley, CA 94709



*Figure 1. Payson House, front façade (Alon Danino)*

1. **Street Address:** 1915 Berryman Street  
**County:** Alameda      **City:** Berkeley      **ZIP:** 94709
2. **Assessor's Parcel Number:** 60-2449-13 (Berkeley Villa Association, Block 16, Lot 9)  
**Dimensions:** 141.5 feet (west) x 75 feet (north) x 136 feet (east) x 75 feet (south)  
**Cross Street:** Bonita Avenue
3. **Is property on the State Historic Resource Inventory?** No  
**Is property on the Berkeley Urban Conservation Survey?** No  
**Form #:** N/A
4. **Application for Landmark Includes:**
  - a. **Building(s):** Yes      **Garden:** N/A      **Other Feature(s):**
  - b. **Landscape or Open Space:** Yes
  - c. **Historic Site:** No
  - d. **District:** No
  - e. **Other:** Entire property
5. **Historic Name:** Payson House  
**Commonly Known Name:** Miller House; "Old farm house"
6. **Date of Construction:** 1889      **Factual:** Yes  
**Source of Information:** *Berkeley Herald*, 2 January 1890; 1889 city directory
7. **Designer:** Unknown
8. **Builder:** Lord & Boynton
9. **Style:** Rustic Victorian
10. **Original Owners:** William Hawes Payson & Esther L. "Etta" (Tripp) Payson  
**Original Use:** Single-family residence
11. **Present Owner:**  
Ravit & Alon Danino  
1493 Firebird Way  
Sunnyvale, CA 94087-3450  
  
**Present Occupant:** Unoccupied
12. **Present Use:** Residential (3 units per Alameda County Assessor's Office; sold as two units)  
**Current Zoning:** R-2A      **Adjacent Property Zoning:** R-2, R-2A
13. **Present Condition of Property:**  
**Exterior:** Fair      **Interior:** Fair      **Grounds:** Wooded  
  
**Has the property's exterior been altered?** Yes, in 1925 and mid-1940s.

## Executive Summary

The William H. & Esther L. Payson House is a Victorian-era house built in 1889 by the important but short-lived construction firm of Lord & Boynton, founded by the two Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921). Both partners arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The Payson House is one of only five surviving buildings constructed by Lord & Boynton. It was one of the first houses built north of Berryman Street—an area that wasn’t even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would still recognize it today.



*Figure 2. The Payson House parcel, seen from the east (Google Earth)*

## 14. Description

The William & Etta Payson House is a one- and two-story wood-frame dwelling constructed in 1889. It is located on the northwest corner of Berryman Street and Bonita Avenue, in the center of a large lot, amid several coast live oaks.

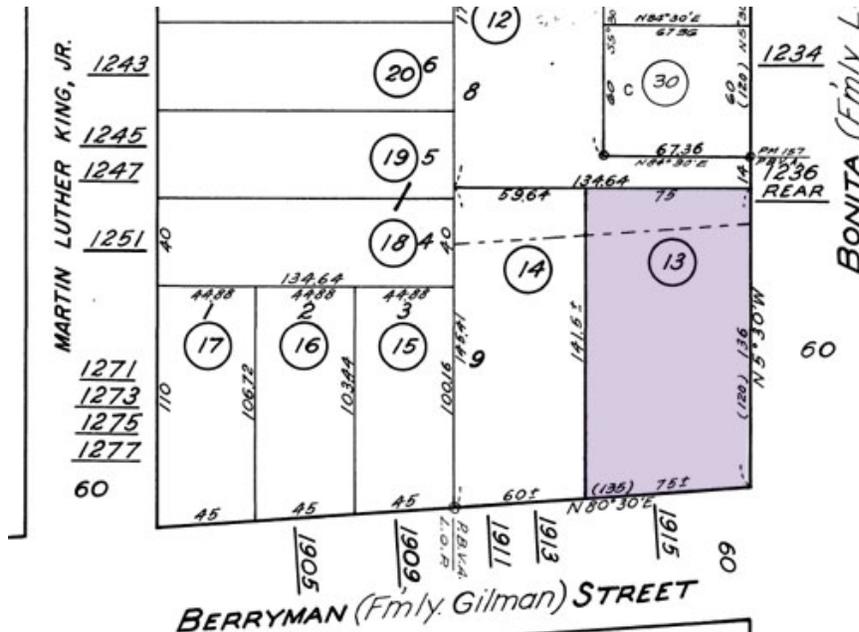


Figure 3. The subject property in the Assessor's Map of Block 2449

The house used to stand on a much larger parcel that included a still extant cottage (now 1234 Bonita Avenue), built c. 1892–93 for Mrs. Payson's sister.

The plan of the Payson House is irregular. The earliest outline available dates from a 1911 Sanborn map (Figs. 4, 5), since the neighborhood north of Berryman Street wasn't sufficiently developed in 1903 to warrant a Sanborn map.

Despite some modifications to the exterior, the 1911 outline is still easily recognizable today. Originally, the house comprised a central rectangular mass surmounted by a hip roof; a projecting gable-roofed front wing at the southeast corner; and a service wing at the northwest corner.

A bay window in the center of the west façade mirrored a square projection on the opposite side.

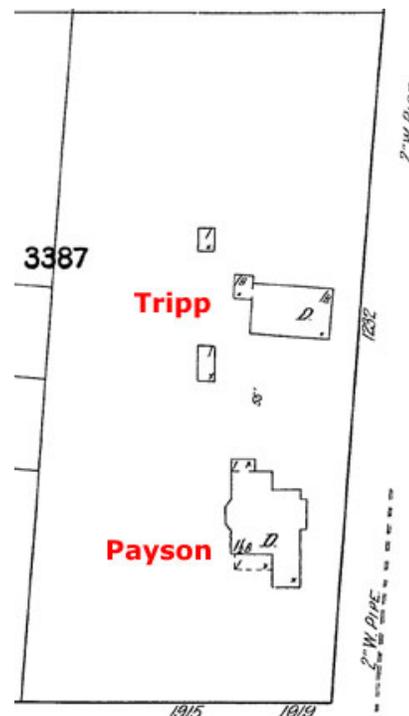


Figure 4. Sanborn map, 1911

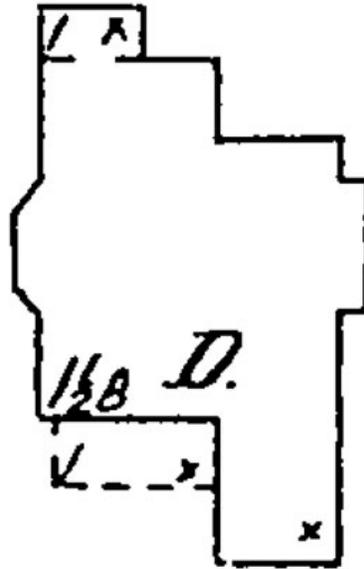


Figure 5. House outline in 1911 (Sanborn map)

As built, the Payson House was one-and-a-half stories high with a basement. The small, south-facing dormer in the hip roof (Fig. 8) marks the front half of the original attic. In 1925, then-owner Katherine Olden Easton (1863–1940), an artist and playwright, created a second story above the central portion of the house, surmounted by a new shallow-pitched roof that sheds over the projections in the east and west walls.<sup>1</sup> That roof is shown in the 1929 Sanborn map below.



Figure 6. The 1889 hip roof, surmounted by the shallow-pitched roof built in 1925.

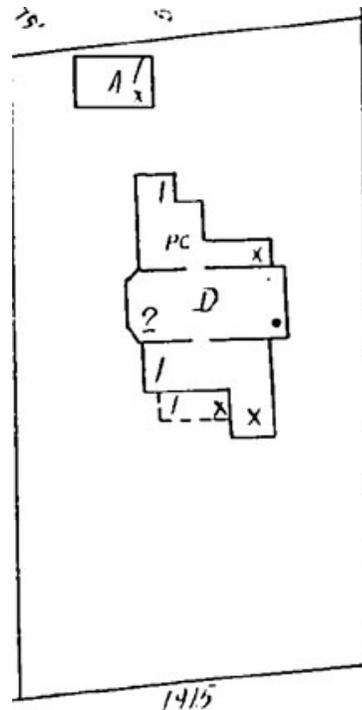


Figure 7. Sanborn map, 1929

<sup>1</sup> Building permit #20766. BAHA archives.

The photo below shows the front of the original hip roof, with the 1925 second-story addition behind. The dormer features a small gable roof with a pediment eave framed in ogee molding, and a double-hung window whose upper sash is divided into 3-over-2 lights.



*Figure 8. Front dormer in the original hip roof. Behind is the second story created in 1925.*

The Payson House is clad in unpainted wood shingles. A shingled skirt flares out over the water table above the basement level, where horizontal V-grooved rustic siding runs along all four sides of the house. The shingle cladding is not original to the house (had it been, it would have made this house the oldest shingled structure in Berkeley). The date of the shingled exterior is unknown; the shingles may have been applied under the influence of Bernard Maybeck, a close neighbor since 1892, or in conjunction with the shingling of the adjacent Tripp-Wollenberg cottage, on which Maybeck is said to have done some work in the first decade of the 20<sup>th</sup> century.

It is assumed that the original exterior was clad in rustic siding of the type seen on the basement-level exteriors. Rustic was the cladding applied to at least one other house constructed by Lord & Boynton in the same year they built the Payson House.

A known example is the James & Cecilia Luttrell House (Ira Boynton, designer; Lord & Boynton, builders, 1889) at 2328 Channing Way.



*Figure 9. Rustic siding, Luttrell House*

**South (front) façade**



*Figure 10. Front façade*

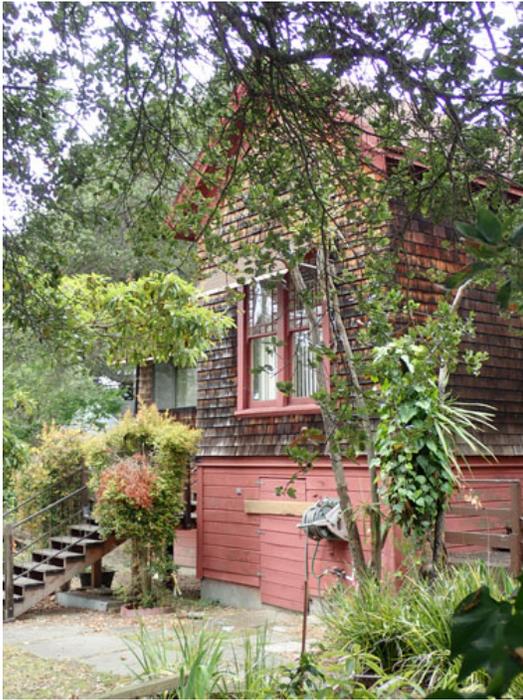
The front façade is asymmetrical, with a gable-roofed wing on the right, projecting south from the main, hip-roofed mass. The roof eaves are closed and shallow. A flight of open wooden stairs leads to the front entrance, which is reached via an opening in an enclosed porch. A horizontal window, apparently aluminum-framed, is embedded flush within the south wall of the porch.



*Figure 11. A view from the south*

A small horizontal wood-framed window faces west from the projecting front wing (Fig. 10). On its south façade, this wing features a pair of attached double-

hung, wood-framed windows whose upper panes are bordered by rows of small, square, plain-glass lights.



*Figure 12. Front wing*



*Figure 13. Windows in front wing*



*Figure 14. Enclosed porch, southwest corner*

As built, the entrance to the house was located within an open porch on the left side of the south façade (Fig. 5). That porch was enclosed in 1946 by then-owner Harry V. Miller, who added a fixed, multi-paned wooden window to the porch's west side (Fig. 15).<sup>2</sup>



*Figure 15. West-facing window in front porch*

<sup>2</sup> Building permit #58971. BAHA archives.



*Figure 16. West façade, seen from the northwest*

### **West façade**

The west façade is the least altered side, with the marked exception of the 1925 second-story addition that rides on top of the central bay window.

This façade is symmetrical, with the central bay flanked by walls of fairly equal length on either side.



*Figure 17. West façade*

A series of wood-framed windows, all of which appear to be original, lines the main-level walls. From north to south, these include a small double-hung window in the northern service wing; a pair of attached double-hung windows; a central three-sided bay containing four double-hung windows; and a horizontal double-hung window with a 5-over-3 multipaned lower sash (Fig. 21).



*Figure 18. Windows on main level, west façade*

Three sides of the second story have wood-framed windows: casements facing north and south, and a double-hung pair facing west. A red-brick chimney rises from the hip roof, hugging the second-story wall.



*Figure 19. Upper story above west façade*



Figure 20. West façade, southern end



Figure 21. West façade, seen from the south  
(Mark Hulbert)



Figure 22. West façade toward the north



Figure 23. Bay window & second story,  
west façade

### East façade

The east façade is the most altered side of the house. By 1950, a one-story addition had been attached to the east wall of the front wing (Fig. 24). This addition appears to have a shed roof and is entered via an external staircase, presumably serving one of the former apartments. The addition was most likely built in the 1940s, possibly during World War II. No specific building permit has been found for this addition.

A wood-framed, double-hung window in the addition's wall appears to be original and may have been transferred from the front wing's wall.

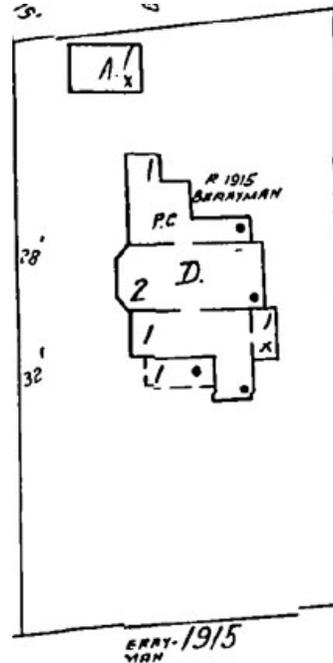


Figure 24. Sanborn map, 1950



Figure 25. Circa 1940s addition, east façade

The 1925 second story extends over the main story's square projection in the center of the east façade. The window on the first story appears to retain its original frame minus the sill, but the sash itself has been replaced with aluminum. The upper story features three east-facing windows, all of vinyl.



*Figure 26. East façade, front & central sections*



*Figure 27. East façade, central section*



*Figure 28. East façade, seen from the north*

The northern section of the east façade includes a wood-framed, double-hung window of the same proportions as seen on the first story of the west façade.



*Figure 29. East façade toward the rear & garage*

### **North (rear) façade**

The north side of the house contains the projecting service wing under its own hip roof. It is entered through an east-facing door with a glazed upper third, reached via a flight of wooden steps. To the left of the door, a narrow wood-framed, double-hung window faces north. A smaller, single-paned window is positioned above the cellar entrance.



*Figure 30. North façade*

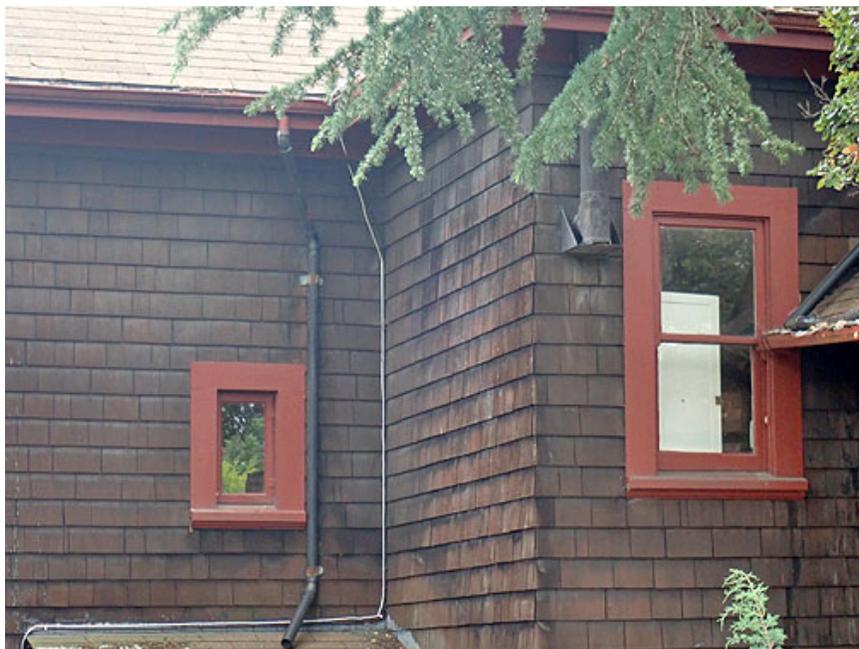
On the second story, two double casement windows with 2-over-3 glazed sashes face the rear. Between the service wing and the upper story rises a second brick chimney.



*Figure 31. Brick chimney, north side*



*Figure 32. Cellar & service entrances*



*Figure 33. Windows, north façade*

A one-car garage, clad in  $\frac{3}{4}$  rustic siding, stands in the northwest corner of the property, facing east along a driveway that opens to Bonita Avenue.

The garage was built in 1925 for then-owner Katherine Olden Easton by contractor J.P. Wood,<sup>3</sup> who built the second story at the same time.

#### **Alterations to the house**

The most significant alteration was made in 1925, when contractor James P. Wood raised the central portion of the roof to create a second story with bathroom facilities but no kitchen. The house remained a single-family residence at that time. Owner Katherine O. Easton, whose contractor husband died that year, may have built the second story to give her artist daughter her own space.

By 1945, when owner Harry V. Miller hired contractor George G. Sgritta to make alterations, the house was indicated in the building permit as serving two families. The work was described as follows:



*Figure 34. Garage, built in 1925*

<sup>3</sup> Building permit #20767. BAHA archives.

Back outside stair to be fix [sic] up.  
~~and a lot more inside work to be done to improve the Bldg.~~  
Inside stairway to be changed.

In 1946, Harry Miller enclosed the front porch, changing the side window. It was during Miller's ownership that the house was divided into apartments, and the small addition with its private entrance at the southeast corner no doubt served that purpose, but no building permit has been found for the separation. By 1955, when Miller applied for a permit to lower the kitchen ceiling, the house was described as a three-family apartment building.<sup>4</sup>

The recent listing of the house, which sold on 18 March 2020, included the following description:

Two story craftsman with a full walk-in basement. Floor plan was 3 units, previous owners removed the common wall between the two main level units to create one large living area to accommodate their large family. Third unit is upstairs.

### **Features to be preserved**

The distinguishing features of the Payson House include the following:

- Rectangular mass with projecting wings at southeast and northwest, and central bays at east and west sides
- Main hip roof; gable roof over southeast wing; gable roof over south dormer; accessory hip roof over northwest wing; shed roofs in rear
- South-facing, gable-roofed dormer with pediment eave
- Ogee molding on roof eaves
- Shingle cladding (or, preferably, original cladding underneath the shingles)
- V-groove Rustic siding on basement-level exteriors
- Water table on all four sides
- Wood-sash windows (double-hung, casement, and fixed; with divided and undivided lights) in flat wood board casings, and projecting window sills with molded apron trim
- Wooden exterior doors
- The remaining six coast live oaks (two trees were cut down in March 2020)

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<sup>4</sup> Building permit #77177. City of Berkeley.

## 15. History

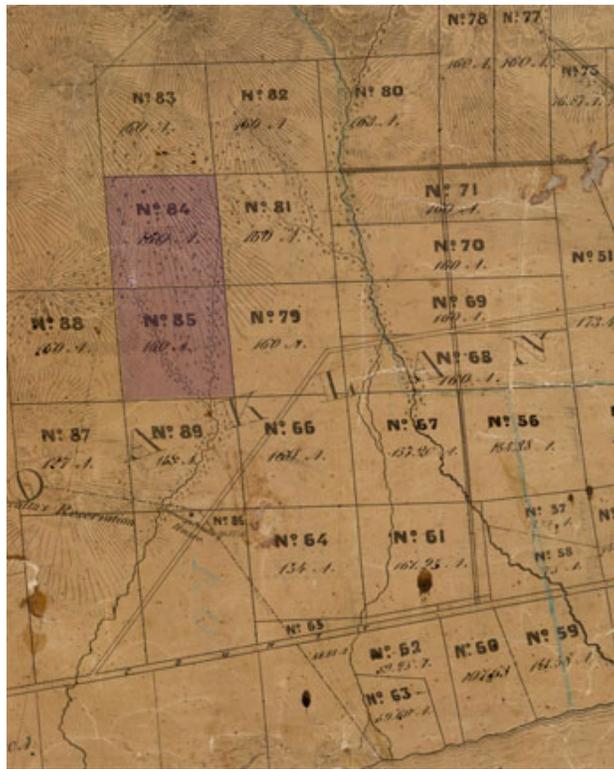


Figure 35. Plots 84 & 85 (shaded) in Kellersberger's Map

The Berkeley Villa Association tract, in which the Payson House is located, was part of Rancho San Antonio, a 44,800-acre Spanish land grant given in 1820 to Sergeant Luís María Peralta (1759–1851) by the last Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of rancho land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger<sup>5</sup> to map the Peralta Ranchos for subdivision purposes.

As related in *Berkeley, the First Seventy-Five Years*, "during the late 1850s and early 1860s Domingo Peralta's former property was the subject of almost continuous parcelings, mortgagings, and transfers. Most of the transactions were

<sup>5</sup> Map of the Ranchos of Vincente & Domingo Peralta. Containing 16970.68 Acres. Surveyed by Julius Kellersberger. Surveyed 1853. Partitioned 1854. Filed Jan. 21st 1857. Courtesy of Barry Lawrence Ruderman Antique Maps, Inc. <http://www.raremaps.com/gallery/enlarge/39956>

made for speculation or investment; a few, to provide homes and ranches for new settlers.”<sup>6</sup>



### Napoleon Bonaparte Byrne

One of the new settlers was Napoleon Bonaparte Byrne (1817–1905), a prosperous plantation owner from New Madrid, Missouri, where he raised thoroughbred horses and cattle.<sup>7</sup>

In the 1850s, malaria was rampant along the Mississippi and Missouri Valleys.<sup>8</sup> Byrne, whose plantation was located by the Mississippi River, decided to move his family to California. He sold the plantation, freed his slaves, and undertook a six-month journey across the plains in a covered wagon, arriving in Oakland in the fall of 1859.

In addition to the Byrne family, the overland party included two freed slaves, Peter and Hannah Byrne, the first African-Americans to settle in Berkeley.

Figure 36. Napoleon Bonaparte Byrne  
(Berkeley Historical Society)



Figure 37. Codornices Creek in March 1861 (detail from James G. Stratton's land case map, Bancroft Library, U.C. Berkeley)

In March 1860, Napoleon Byrne began purchasing land along Codornices Creek. In June 1860, the U.S. Census enumerated the Byrne household in Oakland (Berkeley was not yet named). The household included ten persons: Napoleon and Mary Byrne; their four children; two white laborers, and two African-Americans—Peter, a laborer, and Hannah, a nurse. Byrne's real estate was valued at \$7,000, and his personal estate at \$4,000.

<sup>6</sup> *Berkeley, the First Seventy-Five Years*. Writers Program of the WPA in Northern California. Berkeley: The Gillick Press, 1941.

<sup>7</sup> Mary Tennent Carleton. *The Byrnes of Berkeley, From Letters of Mary Tanner Byrne and Other Sources*. *California Historical Society Quarterly*. San Francisco, 1938. Vol. 17, No. 1, pp. 41–48.

<sup>8</sup> Sok Chul Hong. *The Burden of Early Exposure to Malaria in the United States, 1850–1860: Malnutrition and Immune Disorders*. *J Econ Hist*. 2007 Dec; 67(4): 1001–1035.

Napoleon Byrne continued to acquire land from four different sellers; by April 1861, he was in possession of 827 acres in plots 84 and 85 of Kellersberger's Map.

In 1868, the Byrnes built an elegant Italianate villa surrounded by a large garden, located at what is now 1301 Oxford Street. In 1870, the U.S. Census recorded the value of Byrne's real estate at \$100,000, and his personal estate at \$10,000. The household numbered 12 persons, including three new Byrne children, a Canadian-born laborer, an Irish-born woman servant, and a Chinese waiter. The former slaves were no longer part of the household; Peter Byrne changed his surname to Wilson and established himself as a whitewasher in Oakland.



Figure 38. *The Byrne house, built in 1868 (Pettitt: Berkeley, the Town and Gown of It)*

Although the farm was "good enough to pay for itself with one or two crops," Napoleon Byrne was not pleased with the soil, feeling that it was "not of the first class," as Mary Byrne wrote to relatives in Missouri. He had begun to sell portions of his land in 1868. Having heard of the enormous crops that could be raised in the Sacramento-San Joaquin River Delta, Byrne joined three friends in 1873 and purchased the marshy, 3,100-acre Venice Island, where he moved with his family. He financed the purchase by selling the final large chunk of his Berkeley land to businessmen Henry Berryman and Felix Chappellet for \$49,000, reserving for himself the family house and the surrounding 11 acres. The Byrnes would never again occupy their villa.

### **Berryman, Chappellet and the Berkeley Villa Association**

Henry Burpee Berryman (c. 1842–1903) was born in New Brunswick, Canada. As a young man, he moved to San Francisco and began working for another New Brunswicker, a wealthy coal merchant named James R. Doyle. Doyle died

in 1872, leaving a sizable estate. Shortly thereafter, his widow, Louisa McKevo Doyle, married Henry Berryman, who “took entire charge of the affairs of her husband’s estate.”<sup>9</sup>

The Doyle estate enabled Berryman to join the French-born merchant and former mining operator Felix Chappellet (1828–1902) in purchasing Napoleon Bonaparte Byrne’s land in 1873.

Berryman and Chappellet had the land surveyed in October 1873. On 27 July 1875, a subdivision map of the Berkeley Villa Association tract (Fig. 40) was filed in the Alameda County Recorder’s Office. The tract occupied the northern half of Plots 84 and 85 in Kellersberger’s map (Fig. 35).

As drawn in the 1875 map, the tract was a grid comprising 32 rectangular city blocks bounded by Rose Street to the south, Josephine Street to the west, and Eunice (then Durant) Street to the north. East of Arch Street, eight blocks stretched deep into the hills, ending with the imagined East Street. The eight eastern blocks were never realized as drawn.



Figure 39. Felix Chappellet

Blocks 22 and 23 remained Napoleon Bonaparte Byrne’s property. However, Byrne soon ran into financial difficulties on Venice Island, as the cost of employing Chinese labor to build levees and reclaim the marsh proved prohibitive. In 1877, Byrne sold his Berkeley house to Henry and Louisa Berryman, who made it their home.

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<sup>9</sup> Mrs. Louisa Berryman’s deposition in a trust court case brought against the Berrymans. *Daily Alta California*, 26 January 1890, page 8, column 1.

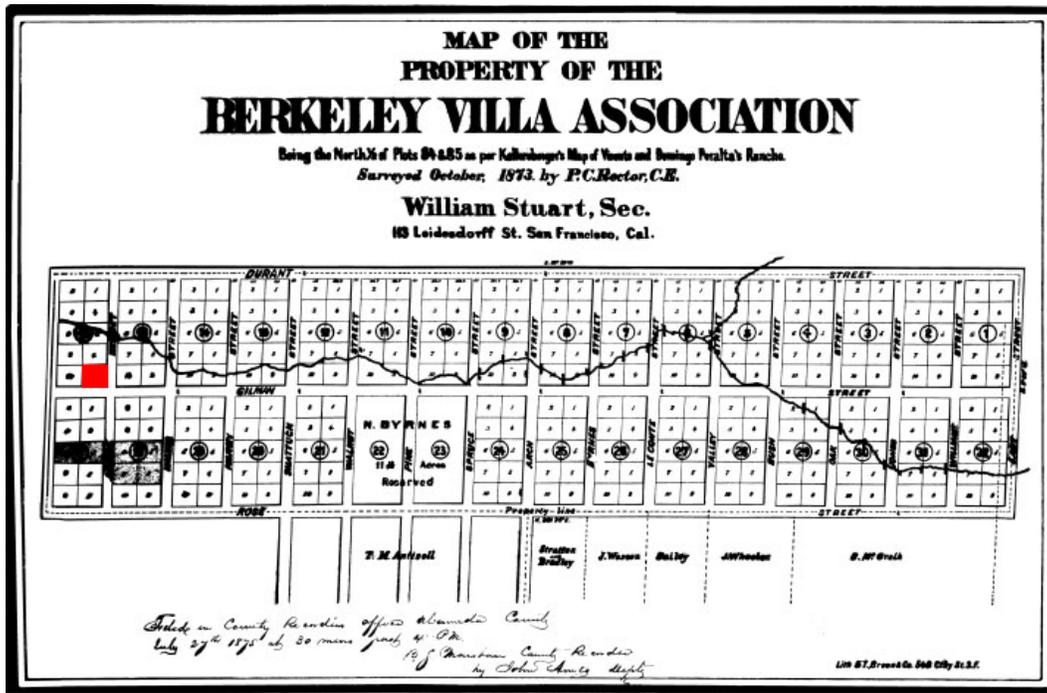


Figure 40. Berkeley Villa Association tract map, filed in 1875. Lot 9 in Block 16 is marked in red.

In June 1878, the Oakland real estate agent G.F.E. Brinckmann filed a map of the Berryman Tract that advertised select lots for sale at auction. This map showed a more realistic view of the terrain, with the area east of Spruce Street no longer laid out in a uniform grid but with parcels of various shapes and sizes set along meandering streets. The old Byrne house and grounds were marked "H.B. Berryman" (Fig. 41).

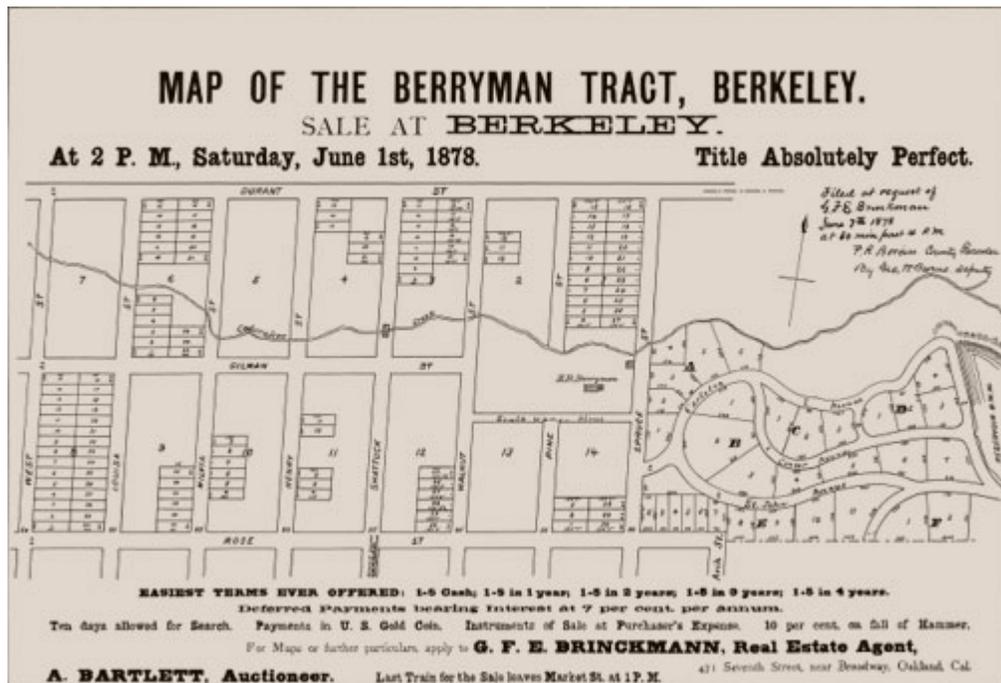


Figure 41. Map of the Berryman Tract filed by G.F.E. Brinckmann, June 1878

In 1880, the map published by Berkeley realtors Carnall & Eyre (Fig. 42) revealed a more modest subdivision. The Byrne property was now called the Berryman Reserve.

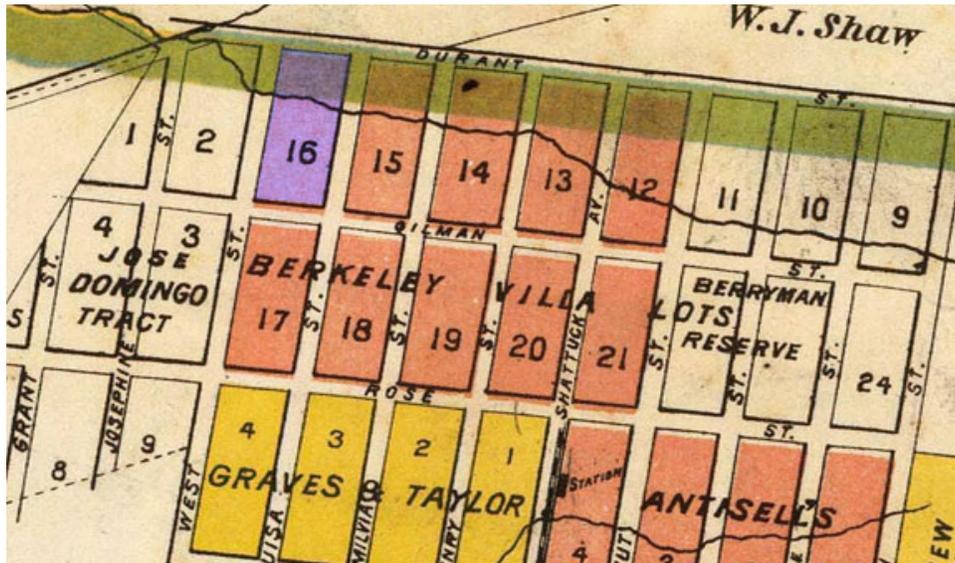


Figure 42. Block 16, Berkeley Villa Association tract (Carnall & Eyre map of Berkeley, 1880)<sup>10</sup>

Even before the first subdivision map of the Berkeley Villa Association tract was filed, Chappellet and Berryman began selling lots, as evidenced by a newspaper advertisement (Fig. 43) published in June 1875.

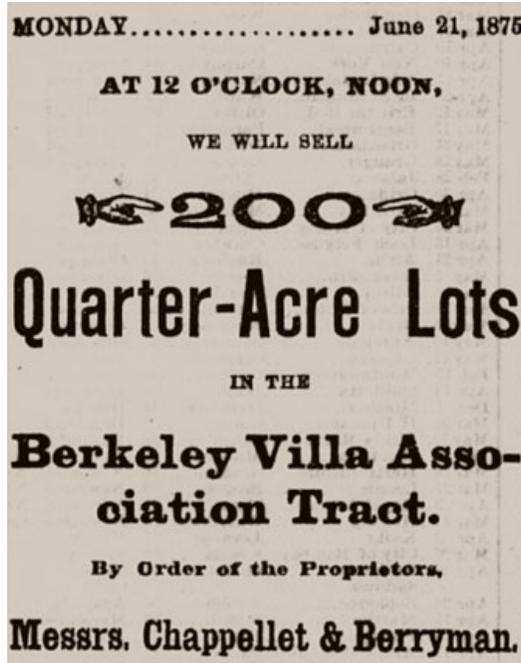


Figure 43. Detail from an ad by Olney & Middleton  
(Daily Alta California, 4 June 1875, page 3)

<sup>10</sup> David Rumsey Map Collection.

The nearly full-column ad, taken by the real estate auctioneers Olney & Middleton in the *Daily Alta California* on 4 June 1875, promised unsurpassed views, comprising “a panorama extending from Petaluma on the north to Santa Clara on the south, and including the Bay and its Islands, the Golden Gate, Redwood City and San Mateo, together with New Saucelito [sic] and San Rafael on the west.”

The ad further announced:

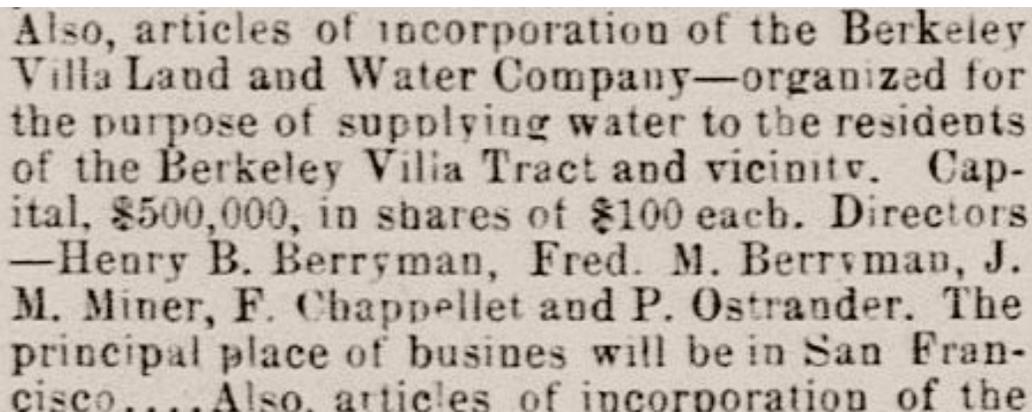
This property connects to Oakland by HORSE CARS to the University, which run every seven minutes, and to within a quarter mile of the Tract, and shortly will be extended to it. It connects to San Francisco by the BERKELEY FERRY BOAT, which makes eight trips a day, the landing being at the foot of University Avenue, distant one mile and a quarter from the property. Arrangements are in progress for a railroad from the landing to the University, and on its completion the time from San Francisco to this Tract will not exceed one hour. [...] The route of the Central Pacific (Bantas) Overland Railroad passes within a half-mile of this Tract.

Just as important as transportation was the question of the water supply, and here, too, the ad made bold claims:

UNSURPASSED WATER FACILITIES are secured to the Tract; first, by a never-failing stream of flowing water running through the centre of the Property, and second, by the incorporation of the BERKELEY VILLA WATER COMPANY, organized for the purpose of constructing a RESERVOIR of sufficient capacity to furnish any quantity of water that may be required for irrigation as well as home use.

Purchasers of lots at the auction sale were guaranteed a 15% discount off the regular water rate in perpetuity.

Perhaps the most extravagant promise made in the Olney & Middleton auction ad was that 12 blocks, containing 60 acres, would be set aside as a “magnificent park and garden,” and that a “commodious hotel” would be erected “at once.”



Also, articles of incorporation of the Berkeley Villa Land and Water Company—organized for the purpose of supplying water to the residents of the Berkeley Villa Tract and vicinity. Capital, \$500,000, in shares of \$100 each. Directors—Henry B. Berryman, Fred. M. Berryman, J. M. Miner, F. Chappellet and P. Ostrander. The principal place of business will be in San Francisco.... Also, articles of incorporation of the

Figure 44. Incorporation notice in the *Sacramento Daily Union*, 27 October 1875

In August 1877, Berryman bought out Chappellet's interest in the water company<sup>11</sup> and built Berryman Reservoir on Codornices Creek. When the Central Pacific Railroad extended its Berkeley Branch Line from downtown Berkeley to Shattuck and Vine Street, the new train depot became known as Berryman Station. Chappellet, in his turn, took over the sixteen western blocks of the Berkeley Villa Association tract. By the spring of 1877, he had subdivided many of the lots into smaller ones, each a third of the original parcels' size.

In May 1877, Chappellet put 150 lots on the auction block. The announcement of the upcoming sale promised:

The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

The announcement provided the time table of the Berkeley Branch Railroad, with nine daily departures from San Francisco to Berkeley and nine in the opposite direction (Fig. 45).

MAURICE DORE. **Map of the** H. A. COBB.

# BERKELEY VILLA TRACT,

## 150 Large Lots to be sold at Auction,

On TUESDAY, May 15th, 1877, on the Grounds, at 1 o'clock P. M.

**TERMS:** One thousand dollars, or over, one-fifth Cash, balance in one, two and three years, secured by Mortgage, with Eight per cent. per annum interest. Under one thousand dollars, one-quarter Cash, and balance same as above.

**Time Table Berkeley Branch.**

From	7.30 a. m.	From	7.30 a. m.
San Francisco	8.30	Berkeley	8.30
	9.30		9.30
	10.30		10.30
	11.30		11.30
to	1.00 p. m.	to	1.00 p. m.
Berkeley.	4.00	San Francisco.	4.00
	5.00		5.00
	6.00		6.00

N. B. Title to the above property perfect. For particulars and Maps, apply at our office. The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

**MAURICE DORE & CO.,** Real Estate Auctioneers,  
Dr F. CHAPPELLET, Berkeley, C.P.R.R. Terminus. 410 Pine Street, San Francisco.

Figure 45. Lot 9 (red), Block 16 in auction announcement, May 1877

<sup>11</sup> William Warren Ferrier. *Berkeley, California: The Story of the Evolution of a Hamlet into a City of Culture and Commerce.* Berkeley: William Warren Ferrier. 1933

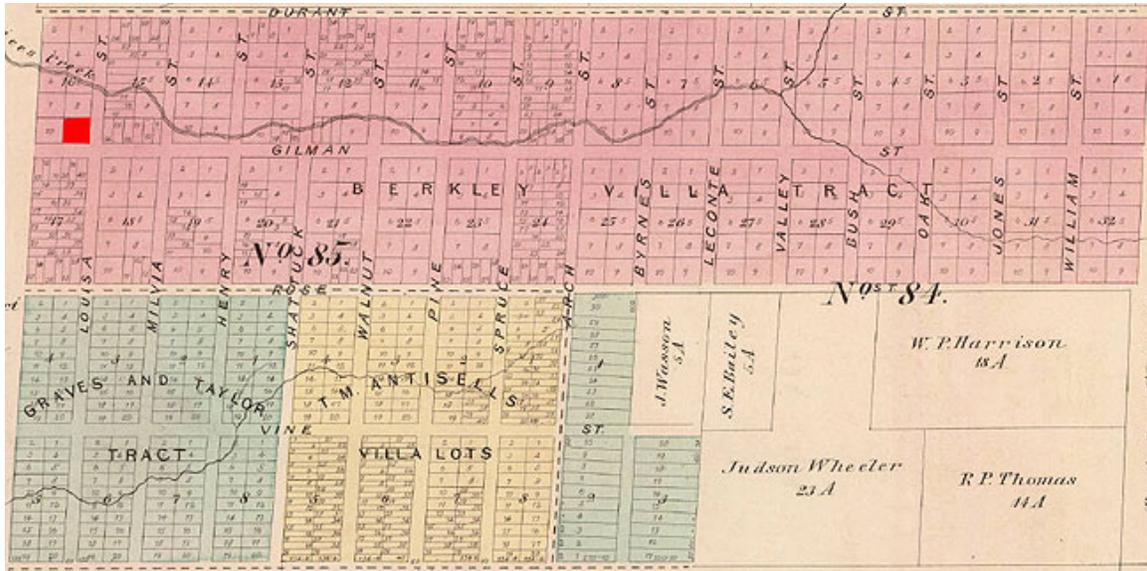


Figure 46. Future Payson parcel (red), Berkeley Villa Association tract  
(Thompson & West Map No. 18, 1878, David Rumsey Map Collection)

### Early settlers in the neighborhood

The blocks situated around the intersection of Berryman Street and Bonita Avenue—originally named Gilman (for U.C. president Daniel Coit Gilman) and Louisa (for Henry Berryman’s wife)—saw their first lot purchases in the latter half of the 1870s, but most of those lots remained vacant, and the area retained its rural character.

The earliest structure, a one-story house, built c. 1878 by the French-born cook James Souffrain and his wife Caroline, stood on the northern bank of Codornices Creek, at 1221 (today’s 1227) Bonita Avenue. That house was replaced in 1916.

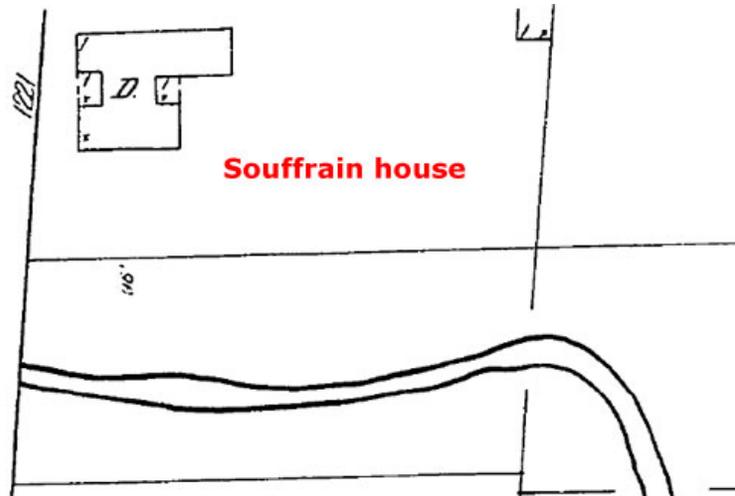


Figure 47. Sanborn map, 1911

As early as 1880, Henry and Louisa Berryman, who owned the entire block south of Berryman Street and west of Bonita Avenue, were assessed \$500 for a structure that stood on a parcel comprising today's 1308 to 1312 Bonita. This structure was joined in 1888 by a larger Berryman-owned house on the southwest corner of Louisa and Gilman streets, later 1304 Bonita Avenue. The corner house was home to Henry Berryman's brother, **Frederick Miles Berryman**, and his wife Susan, who acquired it circa 1900. The house was still standing in the late 1960s, albeit on a much-reduced lot, but has since been demolished and replaced in 1972 with a three-story, 24-unit apartment building.



Figure 48. *Fallen Leaf Lake*, by R.J. Waters, 1886 (University of Nevada, Reno)

In 1881, a third house was built on the southeast corner of Gilman and Louisa (today's 1301 Bonita Avenue). This house was the home of California pioneer George Gilbert Waters who, with his wife Lydia Milner Waters, crossed the Plains to California in 1855.<sup>12</sup>

Lydia died in Monterey in 1881, and George settled in Berkeley.

By 1885, the house belonged to his famous son, **Raper James Waters** (1856–1937), a photographer who established a successful studio in San Francisco and is known for his artistic landscapes (e.g., Lake Tahoe Series); images of gold-mining towns (e.g., Comstock Series);<sup>13</sup> and San Francisco before, during, and after the 1906 Earthquake and Fire. Much of his pre-1906 work perished, but four of his early shots of U.C. Berkeley landmarks survive in the University Archives.<sup>14</sup>

<sup>12</sup> Lydia Milner Waters. "Account of a Trip across the Plains in 1855." *Quarterly of the Society of California Pioneers*, March 1929, pp. 59–79.

<sup>13</sup> Many early photographs by R.J. Waters & Co. are in the Special Collections Department of the University of Nevada, Reno Library.

<sup>14</sup> <https://oac.cdlib.org/findaid/ark:/13030/kt429003bb/dsc/>

The Waters house stood on a very large lot that remained undivided in 1911, as shown in the Sanborn map to the right.

Beginning in 1913, the Waters parcel was subdivided, and houses were built on it, numbered 1301 to 1325 Bonita Avenue. The corner building, an attractive Mediterranean-style fourplex at 1301 Bonita, was constructed in 1922 by investor Gilbert B. Ocheltree, who made his own home in a duplex at 1307-09 Bonita.

In later years, a notable owner of the Ocheltree duplex was famed botanist **Dr. Mary Leolin Bowerman** (1908-2005), co-author of *The Flowering Plants and Ferns of Mount Diablo, California; Their Distribution and Association into Plant Communities*, and co-founder of Save Mount Diablo.



Figure 49. Sanborn map, 1911



Figure 50. Mary Bowerman in her Nash Junior car at the top of Mount Diablo, June 1930  
(courtesy of Save Mount Diablo)

The Sanborn map below shows outlines of the houses that were built between 1880 and 1903 on the blocks directly south of Berryman Street, between Grove (MLK Jr. Way) and Milvia streets. Because the area north of Berryman Street was still sparsely developed, the Sanborn Map Company did not survey it until the 1911 edition.

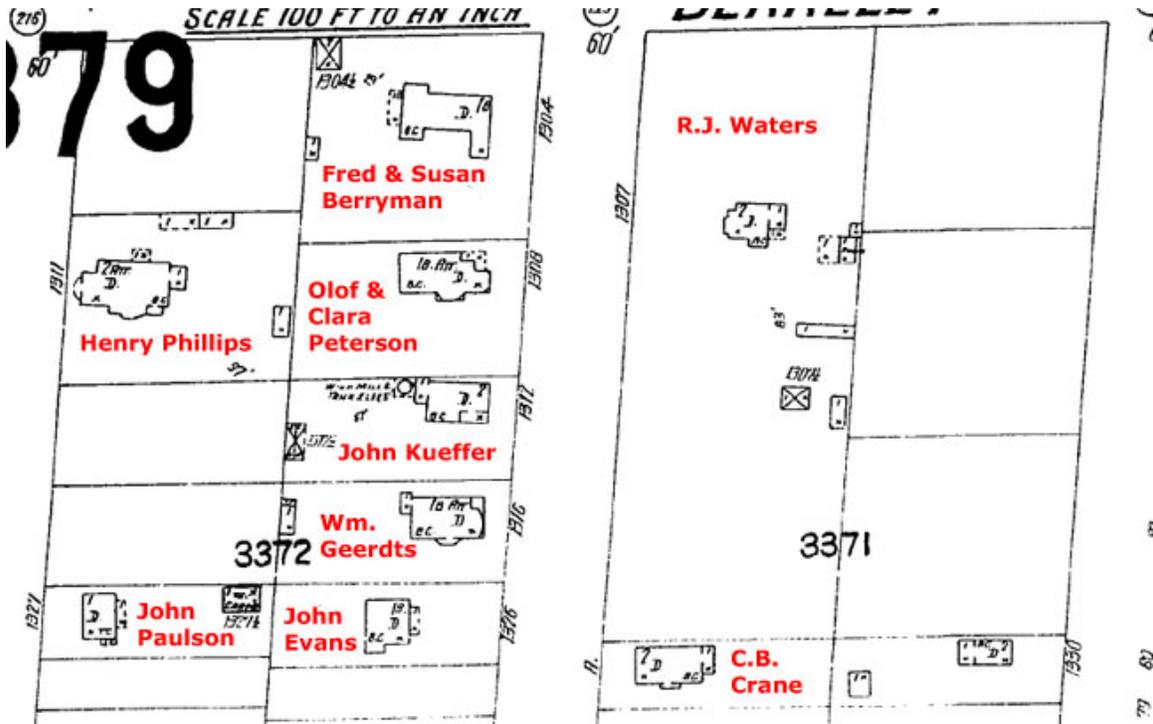


Figure 51. Early houses in Blocks 17 (left) & 18, south of Berryman Street and east of Grove Street (Sanborn map, 1903)

### William H. & Esther L. "Etta" Payson

The Payson House was the fourth dwelling erected in the neighborhood, and the first on its block. Prior to building this house, the Paysons, who married in 1885, resided for two years on Fulton Street, between Dwight and Channing ways.

**William Hawes Payson** (1855–1914) was born in Boston and grew up in Fairmount, a predecessor to Hyde Park, Massachusetts. His father, Jesse Wentworth Payson (1815–1899), was the nation's foremost penmanship expert. At a time when handwriting was the means by which most documents were created, Jesse W. Payson's copybooks were used in schools throughout the United States. Head of the Payson, Dunton & Scribner publishing house and author of *The Payson, Dunton, & Scribner Manual of Penmanship* (still in print today), Jesse Payson was one of Fairmount's 20 founders in 1855. His biography in the *Fairmount Bulletin* recounts:

Jesse W. Payson was born Nov. 6, 1815, in Hope, Me., and died in Hyde Park Sept. 17, 1889. He was educated in the common schools of that town, and in the Waterville Institute. As an author of writing books his name became a household word in this country. He it was who first gave to students a scientific analysis of script writing, and he originated the lithograph copy for common school writing books. From 1861–1877 Mr. Payson was a member of the Faculty at the Polytechnic Institute, Brooklyn, N. Y. As professor of penmanship and bookkeeping he taught thousands of pupils, among them many of the distinguished men of the

country, including President Eliot of Harvard College, and ex-Mayor Seth Low of New York. He was the Secretary and one of the Directors of the Park Bank in Brooklyn for several years. Mr. Payson was the author of a popular series of works on bookkeeping, and was called as an expert to adjust accounts in important cases. Mr. Payson's skill in writing brought him many medals, including one given at the Centennial in Philadelphia. He was a man of generous impulses, and advanced in his christian [sic] views. At the twentieth celebration of Hyde Park anniversary in 1888, he responded to the toast "The Twenty Associates." Mr. Payson's first wife died at Union, Me. His second wife, well known in the world of letters, died in Hyde Park in 1906. He had two children, W. H. Payson, now of San Francisco, and Mrs. Matilda Cushing, a former Fairmount school teacher, who married again, moved to Maine and is now deceased.<sup>15</sup>



Figure 52. Jesse Payson (in "Hyde Park")<sup>16</sup>

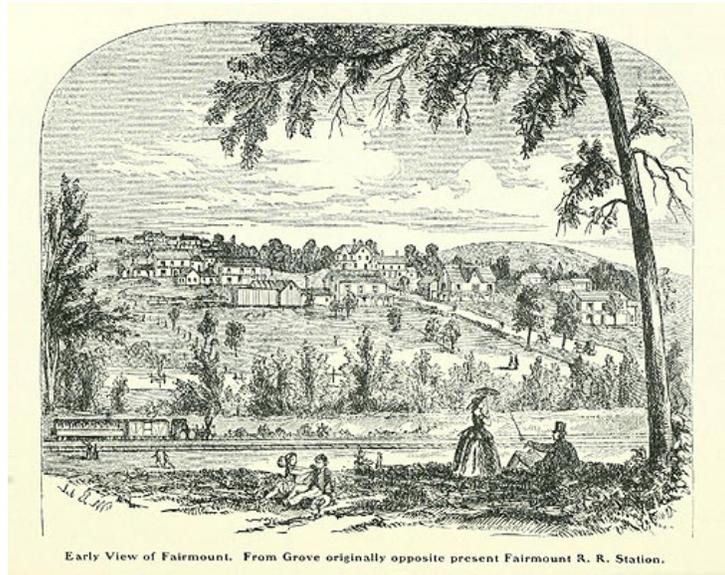


Figure 53. Early view of Fairmount (The Fairmount Bulletin, 1906)

Young William attended the Boston Public Latin School in the class of 1870. He went on to the Brooklyn Collegiate and Technical Institute while his father was teaching there and obtained his B.A. in 1876. Returning to Massachusetts, he enrolled at the Boston University School of Law, receiving his LL.B. degree in 1880. Poor health compelled him to move to California, where he practiced law, co-founded the First Unitarian Church of Berkeley, and fought against corruption in politics. The following obituary and a eulogy by Professor William Carey Jones were published in the *Pacific Unitarian* shortly after Payson's death:

#### **William H. Payson.**

Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of

<sup>15</sup> "Twenty Associates" in *The Fairmount Bulletin*, Vol. II, No. 1, April 1906, p. 12.

<sup>16</sup> Anthony Mitchell Sammarco. *Hyde Park*. Arcadia Publishing, 1996.

the Pacific Coast Conference. He was also a member of the Board of Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.

He was born February 16, 1855, in Boston, his father being the head of the old publishing firm of Payson, Dutton [sic] & Scribner. He obtained his education in Boston, studied law, and was admitted to the Bar in Boston before he came to California.

Owing to ill health and threatened tuberculosis, he was compelled to leave that climate, and came to California in a sailing ship around the Horn, arriving here in 1881. This voyage dissipated the germs of tuberculosis, but he never was a robust man, in fact it is remarkable how much work he was able to accomplish with his weakened constitution. He was married in San Francisco on August 12, 1885, to Ella [sic] L. Tripp, who survives him.

He was deeply interested in all public matters, always as a reformer, and social problems always had his best thought. He was a quiet, persistent worker, always contending for right, truth and justice, and he abhorred fraud, oppression and wrong, but he never was bitter, nor did he ever create any antagonism, but as was said by Frank J. Heney,<sup>17</sup> in a letter just received by Mrs. Payson, "he was a gentle but courageous soul."

His death was wholly unexpected and preceded by no illness that kept him from his work. The end came without warning from heart failure, on the morning of September 5th.

The funeral service from the church at Berkeley was particularly impressive and tender. It was conducted by the minister, Rev. Arthur Maxson Smith. Rev. F. L. Hosmer spoke with tender feeling, voicing his respect and debt of gratitude, and Professor William Carey Jones, a long-time friend and co-worker, paid this well-merited tribute to his worth and character.

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"William H. Payson, good lawyer, good citizen, good church member, good friend, good man, was directed in all the relations of life by the spirit of righteousness. An able and successful lawyer, he was well grounded in the principles of human right, and pursued his calling to the end of attaining justice and never more than justice. Litigiousness was ever far from his field of thought. A satisfactory, permanent and human adjustment of conflicting claims was always his aim. His fine soul abhorred vice and wrongdoing, but his generous spirit was tolerant of the shortcomings of his fellow men.

"He was an active participant in the Commonwealth Club of California, of the City Club of Berkeley, of the Unitarian Club of California, and of the Berkeley Unitarian Club. He was zealously concerned in all the broader civic purposes fostered by these organizations. The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated. A more congenial sphere, it seems to me, however, was within the field of politics. He did not wait for the presence of the spiritual movement manifest in the present century, which is bringing about a nobler view of political obligation. His work, his constant, though unobtrusive endeavor during thirty years, was with and of those who have produced the

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<sup>17</sup> Francis J. Heney was the District Attorney who prosecuted corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef following the 1906 Earthquake and Fire.

conditions resulting in the purer political atmosphere of today. The wisdom of his counsel and the safety of his leadership were apparent on all occasions.

“His energetic promotion of the League of Justice and his high position therein, contributed to the sounder morals of civic, political and business consciousness in the State of California. Herein Mr. Payson’s singleness of aim, high-mindedness, humaneness and generosity, were most abundantly exemplified. Among the many who joined that crusade, some became self-seekers, some were drained dry of the milk of human kindness, some became embittered, envious, vindictive, venomous. But never for a moment did he lose his high ideals, and while seeking to encompass the great purpose of the crusade looked with pity or sympathy upon his less sincere and noble fellow men.

“He was one of the founders of the First Unitarian Church of Berkeley, and during many years was a trustee thereof—being frequently the President of the Board. Eminently practical in all his counsels for the development of our society, there was a piety and a religiousness of spirit that animated all his work. He was the wise adviser in the progress of the church from its first beginnings in the room underneath Odd Fellows Hall on Addison Street, to its temporary lodgment in Stiles Hall, and its final settlement in its present house of worship. He has been President of Unity Hall Association, and has been one of the leading agents in enlarging the scope of the church’s work through the acquisition of the Unity Hall property. His promotion of the objects of the Unitarian Clubs in San Francisco and Berkeley have been inspired partly by his interest in civic improvement and partly by his earnest intent to advance a simple and sincere religious tone through the community. His fostering of the Unitarian School for the Ministry, and his participation in both local and national conferences of the Unitarian fellowship speak for his devotion to the general cause of liberal Christianity.

“As friend and man, his sympathies and relations were no different from what they were in various social groups. In the closest intimacies of friendship; in the church board meetings; in the congregation, whether in business or social gathering, or on formal occasions; in club meetings, civic, political, religious, he was always just the same simple, upright soul. There were with him never two ways of looking at conduct—a social and a personal. His was always the conduct of man to man.

“Good friend, noble man—your memory shall linger with us as an inspiration and a benediction.”<sup>18</sup>

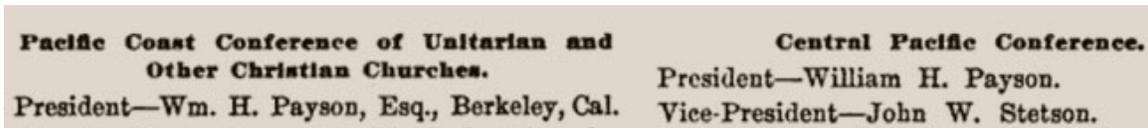


Figure 54. *The Pacific Unitarian*, October 1907

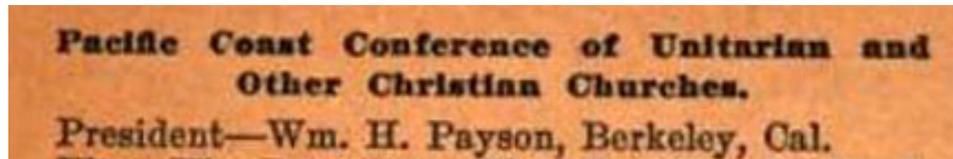


Figure 55. *The Pacific Unitarian*, October 1910

<sup>18</sup> *The Pacific Unitarian*, Vol. XXII, No. 12, October 1914, pp. 320–321.  
<https://archive.org/details/pacificunitarian2219131914willb/page/n369/mode/2up>

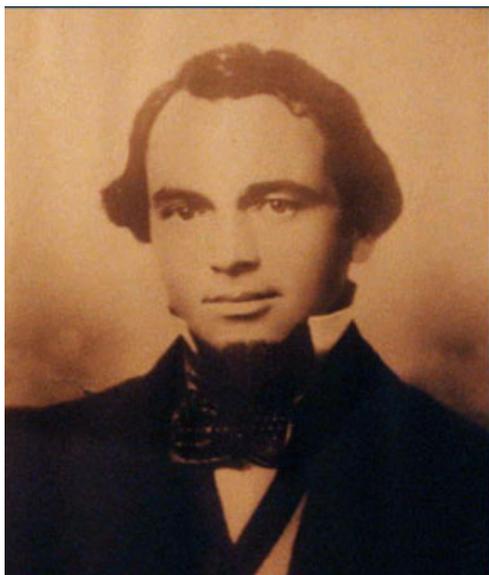


Figure 56. Isaac Tripp (courtesy of Bob Waldman)<sup>19</sup>



Figure 57. Etta Tripp (Rieman & Co., San Francisco)<sup>20</sup>

**Esther L. “Etta” Tripp** (1863–1947), the daughter of California pioneers, was born on a farm in Butte City, near Jackson, Amador County. Her father, Isaac Tripp (1829–1870), was a founding member of the Amador Agricultural Society and an award-winning fruit grower. At the first Amador County Fair, held in October 1862, Isaac Tripp exhibited the following varieties:

Grapes—Black Hamburg, Black Morocco (very large), White Muscat of Alexandria  
Apples—Baldwin, King, Pelton Smith cider; Roxbury russet, Rambo, twenty ounce  
Pears—Bartlett, Winter Nellis, Stevens’ Genessee  
Quince—Orange  
Blackberry wine; elderberry wine.<sup>21</sup>

At the second annual fair, it was reported,

The largest number and variety was the contribution of Isaac Tripp, consisting of no less than thirteen varieties of apples, five of pears, eighteen of grapes (as fine as any we have ever seen) and some fine quinces. [...]

Mr. Tripp also contributed specimens of blackberry wine and grape wine, which our taster pronounced unexceptionable, even to a Templar, being the “pure juice” unadulterated — such as “maketh the heart glad.”<sup>22</sup>

<sup>19</sup> <https://www.findagrave.com/memorial/21719868/>

<sup>20</sup> <https://www.ancestry.com/family-tree/person/tree/71374321/person/350146103944>

<sup>21</sup> “Amador Agricultural Fair.” *Sacramento Daily Union*, 14 October 1862, page. 1.

<sup>22</sup> *California Farmer and Journal of Useful Sciences*, 2 October 1863.

Isaac Tripp died prematurely while working his mining claim. On 28 May 1870, the *Jackson Ledger* reported:

On Friday, the 20th inst., our citizens were shocked to hear that Isaac Tripp, one of our most estimable citizens, had been killed. He was mining in the Butte Basin, and while working under a bank with a hydraulic pipe a large mass of earth became detached, and without a moment's warning, fell, burying him under it. The only person near him was a Chinaman, who immediately gave the alarm, when parties went to his relief, and arriving at the spot could see nothing but a mass of earth. The hydraulic pipe was immediately turned on, and in about ten minutes his lifeless remains were unearthed. The Chinaman, being a few feet below him at the time, escaped uninjured, though the dirt came around him pretty thick.

Isaac's widow, Irene (Park) Tripp, remarried in January 1875, when Etta was twelve years old. The new husband, a pioneer Siskiyou County farmer named Edward White Conner, was a widower with five sons aged six to 16. Irene brought her youngest child, Helen, to her new home, where both were enumerated in the 1880 U.S. Census. The other Tripp children appear to have been scattered. Etta was informally adopted by Judge Harmon J. Tilden (1824–1916) and his wife, Mary Jane (1830–1911), of San Francisco. The 1880 U.S. Census enumerated Etta as an adopted daughter of the Tildens, residing with them at 1132 Valencia Street, along with the Tildens' son, Charles Lee Tilden (1857–1950), who would become first president of the East Bay Regional Park District. It is not clear whether there was a blood connection between the Tripps and the Tildens, but Etta's older brother's middle name was Tilden.

William Payson and Etta Tripp were married on 12 August 1885 and built their house in 1889. The contracting firm was Lord & Boynton, one of Berkeley's most prominent at the time. During the same year, Lord & Boynton built the Peralta Park Hotel for famed actor Maurice B. Curtis, as well as Curtis's own home and other prestigious projects.<sup>23</sup>

On 12 July 1891, two years after moving into the new house, William Payson co-founded the First Unitarian Church of Berkeley. Two weeks later, when the church's first board of trustees was elected, Payson was voted in as the first secretary.

Another member of that first board of trustees was Prof. Henry Senger, for whom another noted Unitarian, Bernard Maybeck, would design a house in 1907.

Bernard and Annie Maybeck soon followed the Paysons to their remote neighborhood.<sup>24</sup> In April 1892, the Maybecks were reported to be building a cottage on the corner of Gilman and West streets (now Berryman and Martin Luther King, Jr., Way).<sup>25</sup> The Maybeck house, which Charles Keeler described as "a distinctly hand-made home," must have made an impression on the neighbors and influenced them to shingle the exteriors of their own homes.

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<sup>23</sup> Daniella Thompson. "Peralta Park Grew in the Shade of Giants." 2006.  
[http://berkeleyheritage.com/eastbay\\_then\\_now/peralta\\_park1.html](http://berkeleyheritage.com/eastbay_then_now/peralta_park1.html)

<sup>24</sup> Daniella Thompson. "Maybeck's First House Was a Design Laboratory." 2007.  
[http://berkeleyheritage.com/berkeley\\_landmarks/maybeck\\_on\\_grove.html](http://berkeleyheritage.com/berkeley_landmarks/maybeck_on_grove.html)

<sup>25</sup> *Berkeley Daily Advocate*, 28 April 1892.

Like the Paysons, the Maybecks were the only residents on their block for a number of years.



Figure 58. Bernard & Annie Maybeck House in 1902  
(Dimitri Shipounoff collection, BAHA archives)

In January 1894, the *San Francisco Morning Call* reported that the trustees of the First Unitarian Church were about to “raise funds for the erection of a new church edifice by the issue of bonds at a low rate of interest.”

A short time ago a fine lot, 150 by 170 feet on the corner of Bancroft way and Dana street was purchased. It is on this site that the new church edifice will be erected. It will be of stone and as fine in its way as the Unitarian Church of Oakland. The cost will not be less than \$20,000. Architect Maybeck is now at work on plans and designs for the new church, and they will be considered by the trustees in the immediate future.<sup>26</sup>



Figure 59. First Unitarian Church (A.C. Schweinfurth, architect, 1898)

<sup>26</sup> “A New Church.” *The San Francisco Morning Call*, 29 January 1894, page 3.

The \$20,000 was never raised, and Maybeck's plans were not executed. When the new church, designed by Albert Cicero Schweinfurth, was finally built in 1898, the estimated cost was reported to be a modest \$3,695.<sup>27</sup>

William Payson fostered the Pacific Unitarian School for the Ministry (later renamed Starr King School for the Ministry), founded in 1906, and acted as trustee on the school's first board.<sup>28</sup>

In addition to his leadership of numerous Unitarian organizations and endeavors, William Payson was a tireless political reformer, fighting for fair voter representation<sup>29</sup> and active in the anti-graft movement that led to the prosecution of corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef.<sup>30</sup> Francis J. Heney, who prosecuted Schmitz and Ruef for bribery, called Payson "a gentle but courageous soul."<sup>31</sup>

In about 1892 or '93, Etta's mother, Irene A. Conner (1831–19??), and the latter's youngest daughter, Helen S. Tripp (1870–1903), arrived in Berkeley. Helen was assessed in 1893 on a cottage adjacent to the Payson House. The shingled one-story cottage still stands at 1234 Bonita Avenue. Irene and Helen were first listed in the Berkeley directory in 1894. The 1900 U.S. Census enumerated them as residing in the Payson household.

Helen Tripp, who worked as a stenographer, died on 26 March 1903 in a homeopathic sanatorium. The cause of death was acute nephritis, brought about by diabetes mellitus. A few weeks before her death, Helen's cottage was sold to Ernestine Wollenberg, daughter of San Francisco merchant Louis Wollenberg and his wife Fanny. The Wollenbergs brought their five children to Berkeley so that they could be educated here. The family lived at 1234 Bonita Avenue until 1912.

Louis Wollenberg (1841–1910) is best known today as the great-grandfather of Berkeley historian Charles Wollenberg, who recounted an oft-heard story in a recent e-mail:

I believe the Maybecks lived around the corner, and they became friendly with my great grandfather. Bernard Maybeck apparently helped him do some carpentry on the cottage. My great-grandfather had immigrated from Germany in the late 1850s and, during the next 40 years or so, failed in several business ventures in the West. But he had a reputation for telling good stories of his real or imagined western adventures to the neighborhood kids. There's a legend in both the Maybeck and Wollenberg families that when their son was born, Annie and Bernard refused to name him, allowing him to choose his own name when he was 6 or 7. When the time came, "Boy" Maybeck said he'd like to be named Wollenberg, after the old man who told such neat stories. This was a bit too much for his parents, but they compromised and agreed to the name Wallen. I guess the fact that the story is told in both families gives it some credibility.<sup>32</sup>

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<sup>27</sup> *The San Francisco Call*, 27 May 1898, page 9.

<sup>28</sup> "Berkeley to Have School for Unitarian Ministry." *The San Francisco Call*, 13 May 1906, page 12.

<sup>29</sup> "Citizens Denounce Courthouse Ring." *The San Francisco Call*, 18 July 1908, page 5.

<sup>30</sup> "Flays Nieto for Shielding Ruef." *The San Francisco Call*, 2 February 1908, page 32.

<sup>31</sup> In a condolence letter to Etta Payson, quoted in Payson's obituary published by *The Pacific Unitarian*.

<sup>32</sup> Charles Wollenberg in an e-mail sent to the recorder on 19 May 2020.



Figure 60, Tripp-Wollenberg cottage, 1234 Bonita Avenue (Google Street View)

In 1904, there was no listing for the Paysons in the Berkeley directory. Instead, the occupants of 1915 Berryman Street were Ross Morgan (1867–1917), a civil engineer, and his wife, the artist Charlotte Elizabeth Bodwell Morgan (1867–1947), a noteworthy member of the Carmel and Berkeley art colonies.<sup>33</sup>



Figure 61. Carmel Mission by Charlotte Morgan (Bodega Bay Heritage Gallery)

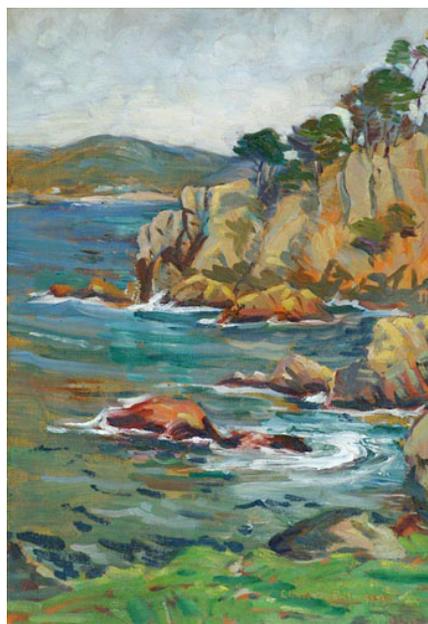


Figure 62. Carmel Coast by Charlotte Morgan (Bodega Bay Heritage Gallery)

<sup>33</sup> Charlotte Morgan's biography was published in *Jennie V. Cannon: The Untold History of the Carmel and Berkeley Art Colonies, Vol. 1* by Robert W. Edwards (Oakland: East Bay Heritage Project, 2012). <http://www.tfaoi.com/cm/10cm/10cm111.pdf>

William Payson died on 5 September 1914, aged 59. After his death, Etta went to live with the misses Katherine and Bertha Brehm in their house at 2709 Benvenue Avenue. Bertha Brehm, a music teacher, was the Unitarian Church's first organist.



*Figure 63. The organ at First Unitarian Church (BAHA archives)*

By 1920, Etta Payson had moved again. She was now living with the Charles Lee Tilden family in their villa at 1031 San Antonio Avenue, Alameda. Later in that decade, she settled in Alaska, where her elder brother, Herman Tilden Tripp (1859–1939), a mining engineer and politician, had been living since 1898. Following Herman's death, Etta returned to Berkeley, where she spent her last years in an apartment at 2649 Benvenue Avenue.

### **Neighborhood growth**

As late as 1906, the Paysons and the Wollenbergs were the only residents on Block 2449. Limited public transportation to the area delayed development of northwest Berkeley.

In 1899, William J. Dingee's Map of Oakland and Vicinity (Fig. 64), which showed real estate and electric railways of the Realty Syndicate, revealed a single train track on Shattuck Avenue that terminated at Rose Street.

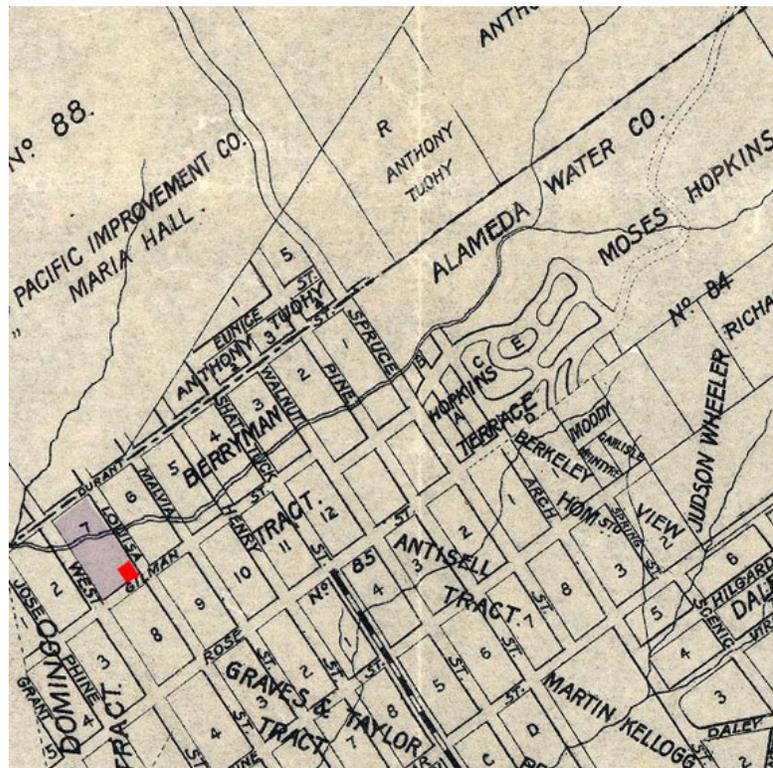


Figure 64. Dingee's Map of Oakland & Vicinity, 1899<sup>34</sup>

It wasn't until 1903, when the Key System of electric streetcars was introduced in Berkeley, that building in the Berkeley Villa Association tract gained momentum. Mass migration of San Franciscans to the East Bay in the wake of the 1906 Earthquake and Fire accelerated building activities, as Berkeley's population tripled from 13,214 in 1900 to 40,434 in 1910.



Figure 65. Kelly Flats (c. 1904), 1939-45 Berryman Street at Milvia

<sup>34</sup> David Rumsey Map Collection.

In January 1912, the opening of the Northbrae Tunnel for service enabled Southern Pacific electric trains to run north beyond Rose Street, providing an additional transport option for the growing suburban districts.

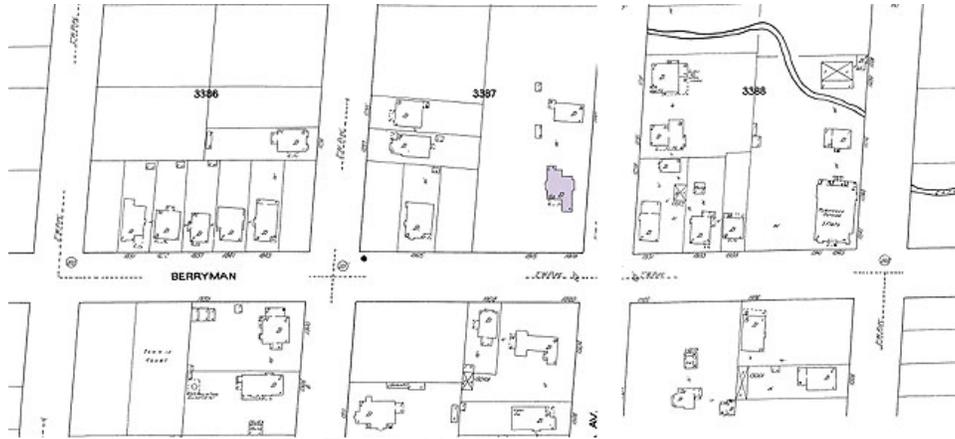


Figure 66. The neighborhood in 1911 (Sanborn map)

A real-estate map published by Lederer, Street & Zeus in 1914 (Fig. 67) shows three commuter transport lines in the vicinity of the Payson House.

The orange line running along Sacramento and Hopkins streets represented the Key Route's commuter line; The red line running on Grove Street and The Alameda stood for the local streetcar lines that crisscrossed Berkeley; and the green line, which ran on Shattuck Avenue, Sutter Street, and through the Northbrae Tunnel, represented the Southern Pacific Railway.

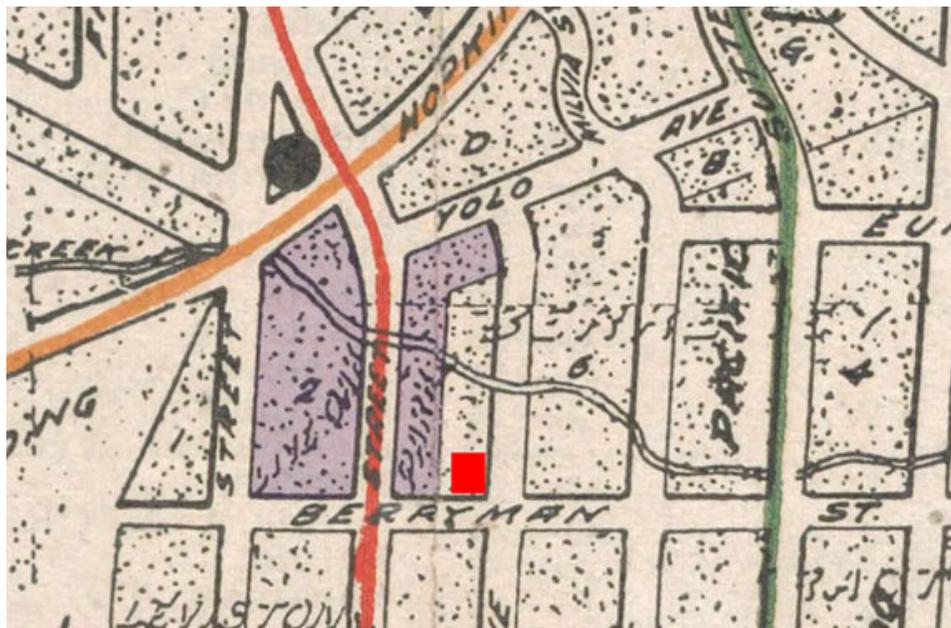


Figure 67. Public transport lines and proposed Live Oak Park site near the Payson House (Lederer, Street & Zeus Map of Berkeley & Vicinity, 1914)

An interesting detail in the Lederer, Street & Zeus map is the siting of the proposed Live Oak Park directly to the west of the Payson House,<sup>35</sup> or three blocks away from where the park would actually be established after the city purchased the O'Toole and Penniman estates in 1914.<sup>36</sup>

The 1920s saw the neighborhood become almost fully built up. The 1929 Sanborn map shows mostly single-family residences but also half a dozen flats, the largest of which remained the Catherine & Francisco Kelly Flats, a Mission Revival structure, built c. 1904 on the northwest corner of Berryman and Milvia streets (Fig. 65).



Figure 68. The area in 1929 (Sanborn map)

### Lord & Boynton, builders of the Payson House

The construction firm of Lord & Boynton was short-lived, but it managed to make a deep impact during its brief existence. This company was created when two pioneer Berkeley builders—both civic leaders—came together to undertake a gigantic number of projects that no single contractor could have handled.

**Carlos Reuben Lord** (1831–1914) was born in Aurora, Ohio, where his parents had come from New England. His father was a well-to-do farmer, but by the age of 18, Carlos was no longer living at home, possibly because there were six younger siblings in the house. The 1850 U.S. Census enumerated him as having attended school within that year and residing with an Aurora farming couple in their early twenties.

In 1854, Carlos Lord married Lucia Almira Stocking (1832–1928). By 1860, the couple had moved to Jefferson, Missouri, where Carlos was listed as a wagon

<sup>35</sup> The park plan shown in the map included Block 2 in the adjacent Jose Domingo Tract.

<sup>36</sup> Susan Schwartz. A History of Berkeley's Live Oak Park. 2014. <http://www.bpfp.org/wp-content/uploads/LiveOakPark.pdf>

maker. The Lords now had a son, 4, and a daughter, 2. In 1870, now living in Cameron, Missouri, Carlos worked as a clerk in a store and was a father to five children aged 2 to 14.

Carlos Lord was first registered to vote in Berkeley on 18 February 1878. That year, he was listed in the Berkeley city directory as Charles R. Lord, carpenter, resident on the north side of Vine Street, between Spruce and Pine (now Oxford) streets.

The following sketch of Lord's life was published in the *San Francisco Morning Call* in November 1894. Running for the office of Justice of the Peace in Berkeley Lord was nominated by the Alameda County Non-Partisan Convention, whose candidates the newspaper called "a splendid list," "good men all," and "animated by unselfish sentiments."<sup>37</sup>

**C. R. LORD.**

**A Citizen of Berkeley Who Commands Confidence.**

C. R. Lord, past commander of Lookout Mountain Post, G. A. R. of Berkeley, was born in Ohio, December 12, 1831, and was educated in the public schools of that place. At the call of President Lincoln he enlisted in the First Missouri Cavalry, U. S. A., and served about two years and was honorably discharged for disability. After the war he was appointed Postmaster under President Lincoln. He was elected Justice of the Peace at Alta Vista, Davis County, Mo. He came to California in 1874, remained in San Francisco for three years, and came to Berkeley in 1877, one year before Berkeley was incorporated, having resided there since. He has served the town as Justice of the Peace six years, as Marshal and Tax Collector, ex-officio Superintendent of streets, two years, as Trustee three years, and at this time is the nominee of the Non-Partisan convention of Alameda County for the office of Justice of the Peace for the town of Berkeley.



Figure 69. Carlos Reuben Lord  
(*SF Morning Call*, 5 Nov. 1894)

Carlos Lord became involved with the nationally famous stage actor Maurice B. Curtis ("Sam'l of Posen") when the latter was beginning to develop the Peralta Park tract. In May 1888, Lord was named one of the directors of the just-incorporated Peralta Park Hotel Company.

The Peralta Park Hotel Company has incorporated to purchase an eligible site in Peralta Park tract in Oakland township, near Berkeley, and to erect and maintain a hotel to be known as the Hotel de Peralta, and also to deal in property connected with the enterprise. The Directors are: M. B. Curtis, A. P. Gunn, C. R. Lord, A. H. Emery, C. A. Goodwin. The

<sup>37</sup> "Good Men All." *The San Francisco Morning Call*, 5 November 1894, page 4.

capital stock subscribed is \$37,775. There are sixty-nine subscribers to the enterprise.<sup>38</sup>

In July 1888, Lord was awarded the hotel's construction contract:

The contract has been signed by C. R. Lord and the Peralta Park Hotel Company for the construction of the hotel. Mr. Lord will commence work at once, and hopes to have the building completed by January 1, 1889.<sup>39</sup>

It was in the latter half of 1888 that Carlos Lord and Ira Boynton joined forces to construct an impressive number of large projects that included not only the hotel but several large residences in Peralta Park, various houses in other parts of town, and buildings for the town's two lumber mills. In early December of 1888, the *Berkeley Herald* announced:

Mssrs. Lord & Boynton have their hands full. They have commenced the erection of a ten-room house in Peralta Park for Alfred Lueders of San Francisco. It will cost \$4,500. For Joseph Hume also they will build a \$2,500 dwelling on Dwight Way.<sup>40</sup>

**Ira Alton Boynton** (1844–1921) was born in Jefferson, Maine to Amos and Rachel (Decker) Boynton. His father was a Baptist clergyman. In 1868, Ira married Canadian-born Margaret Salmon Fielding in Chelsea, Massachusetts. Their first child, Emma, was born in Illinois the following year.

According to his obituary in the *Berkeley Daily Gazette*, Ira Boynton came to Berkeley in 1877, but records show that he was already in Alameda County on 5 April 1875, when his second child, Laura, was born. In 1876, he was registered to vote in Alameda County's Fourth Ward, listed as a draughtsman. In 1878, he was listed in the Berkeley city directory as a carpenter living on Berkeley Way near Shattuck Avenue. By the following year, the Boyntons had moved to a new home, situated one block north, at 2032 College Way (now Hearst Avenue). Here they lived until 1895.



Figure 70. Ira A. Boynton

Like Carlos Lord, Ira Boynton was active in Berkeley's finance, municipal politics, and fraternal circles. In 1886, along with several other leading Berkeley businessmen, Lord and Boynton founded a bank.

<sup>38</sup> *Daily Alta California*, 21 May 1888, page 5.

<sup>39</sup> *Daily Alta California*, 23 July 1888, page 5.

<sup>40</sup> *Berkeley Herald*, 6 December 1888.

The Homestead Loan Association of Berkeley has filed articles of incorporation with the County Clerk. The Directors are C. R. Lord, John K. Stewart, Philip Monroe, Walter E. Sell, Otto Nichaws [Niehaus], M. M. Rhorer, George A. Embury, Ira A. Boynton and Clarence M. Hunt — all of Berkeley—and the capital stock is \$1,000,000, divided into 5,000 shares, of which 100 have been subscribed.<sup>41</sup>

Boynton also served as an elected official. In 1879, he was listed in the city directory as one of Berkeley's two Justices of the Peace. He ran again in 1886, but this time he fell short by two votes after a recount.

A. H. Morris, candidate of the Peoples' party for the office of Justice of the Peace of Berkeley, was dissatisfied at the announced result of the recent election, which gave the office to his opponent, Ira A. Boynton, by a majority of seven votes. Morris appealed to the Town Trustees, who sat as a Returning Board Wednesday evening and recounted the ballots, a privilege accorded by a section of the town charter. President Henley and Trustees Shattuck and Whitney were present. The result was that four votes were changed to Morris' account from Boynton's, thus giving Morris the office by a majority of two votes. Boynton was the candidate of the Citizens' Reform party.<sup>42</sup>

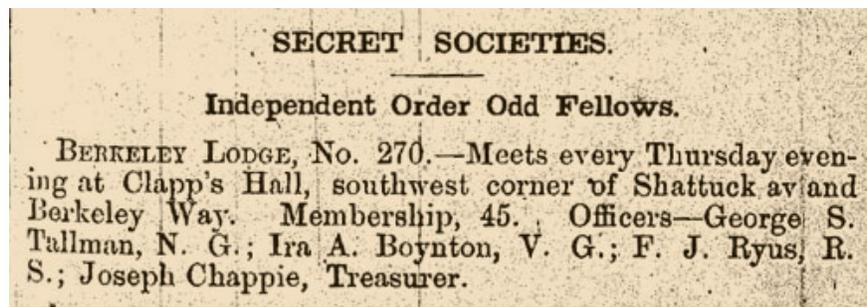


Figure 71. Bishop's Berkeley Directory, 1879-80

Boynton was a charter member of the Independent Order of Odd Fellows, Berkeley Lodge, No. 270 and also served as Chief Patriarch of the Oakland Encampment, No. 64 in the mid-1880s.<sup>43</sup> Members of the Berkeley Lodge met weekly at Clapp Hall, located around the corner from the Boynton residence. In 1884, the chapter incorporated a hall association in order to raise funds for a building of its own. Boynton was one of the five directors.

Articles of incorporation of the Berkeley Odd Fellows' Hall Association have been filed with the County Clerk. The capital stock is \$10,000. divided into 10,000 shares of \$1 each. The Directors are Frederick M. Husted, Walter Powell, Thomas Hann, Ira A. Boynton and Philip Sheridan, all of Berkeley.<sup>44</sup>

<sup>41</sup> *Daily Alta California*, 3 March 1866, page 5.

<sup>42</sup> *Daily Alta California*, 15 May 1886, page 4.

<sup>43</sup> *Daily Alta California*, 26 July 1885, page 2.

<sup>44</sup> *Daily Alta California*, 16 April 1884, page 4.

By 1885, the Berkeley chapter of the I.O.O.F. had erected its new building on the southeast corner of Shattuck Avenue and Addison Street, across the street from Berkeley Station. Other fraternal societies, including the Free Masons, the American Legion, and the Grand Army of the Republic, also met at the Odd Fellows' Hall, as did the First Unitarian Church in its early days.



Figure 72. Odd Fellows' Hall (1885), Shattuck Avenue & Addison Street

Although he was a prolific builder, no records of Ira Boynton's building activities prior to 1884 have been found. In his obituary,<sup>45</sup> for which information was furnished by his daughter, Laura Durgin, it was claimed that Boynton had been associated with A.H. Broad. An oral history conducted by BAHA staff in the 1970s with Boynton's granddaughter, Muriel Durgin Backman, points out his association with Horace Kidder. Neither claim appears to have been documented in print during Boynton's life. The earliest contemporaneous records found of his work date from May 1884. These show a house for his neighbor S.C. Clark (presumably on Berkeley Way); another for Boynton himself; and a third for Professor Eugene W. Hilgard at the latter's agricultural experiment station in Mission San José (now Fremont).<sup>46</sup>

Boynton's name began appearing more regularly in contract and completion notices after he teamed up with Carlos R. Lord in 1888.

By the end of 1889, Lord & Boynton could boast a long list of prestigious Berkeley projects completed that year. Published on 2 January 1890 in the *Berkeley Herald*, the list was peppered with top-drawer clients and included the construction of the Peralta Park Hotel at a cost of \$85,000.

<sup>45</sup> "Berkeley Pioneer Dies in Seattle." *Berkeley Daily Gazette*, 4 January 1921.

<sup>46</sup> *California Architect & Building News*, May 1884, page 91.



Figure 73. Peralta Park Hotel (Cheney Photo Advertising Agency)

**LORD & BOYNTON, BUILDERS**

Niehaus Bros. & Co. Mill, West Berkeley	15,000
Geo. C. Pape Mill, East Berkeley	2,500
Mrs. R. G. Lewis, Peralta Park, 8-room house	4,000
M. B. Curtis, Peralta Park, 8-room house and improvements	4,500
Dr. Robert Macbeth, Peralta Park, 10-room house and improvements	6,900
Harry S. Thompson, Peralta Park, 9-room house and improvements	3,000
J. A. Luders [sic], Peralta Park, 10-room house and improvements	4,900
Miss Anita Fallon, Peralta Park, 7-room house and improvements	4,000
Jos. Hume, 5-room cottage, Fulton and Channing way	1,800
Jos. Hume, 2-story house, Haste street	2,300
Jos. Hume, Dwight way, 9 rooms	3,200
Jos. Hume, Walnut street, 5 rooms	2,000
N. S. Trowbridge, Durant avenue	3,300
W. A. Ristenpart, Bancroft way, 7 rooms	3,000
T. M. [sic] Luttrell, Channing way, 7 rooms	2,150
<b>L. H. [sic] Payson, Gilman street, 6 rooms</b>	<b>2,000</b>
W. T. Lingard, Walnut street, 5 rooms	1,800
J. L. Barker, Cedar street, 7 rooms	2,100
L. Gottshall, Center street, 2 stores, 8 rooms	4,000
Daniel McMahan, University avenue, 7 rooms, barn and improvements	3,400
Geo. C. Pape, University avenue, 8 rooms	4,000
Lord & Boynton, Berkeley way, 8 rooms	2,800
Fritz Meyer, Seventh and Bancroft way, 5 rooms	1,500
Chris Johnson, Fourth and Addison, 4 rooms	1,000
Dr. Cook, Peralta Park improvements	3,600
I. A. Boynton, College way, 6 rooms	2,000
H. W. Taylor, lumber yard office	500

Mrs DeLorme's improvements to house  
Peralta Park Hotel

500  
85,000

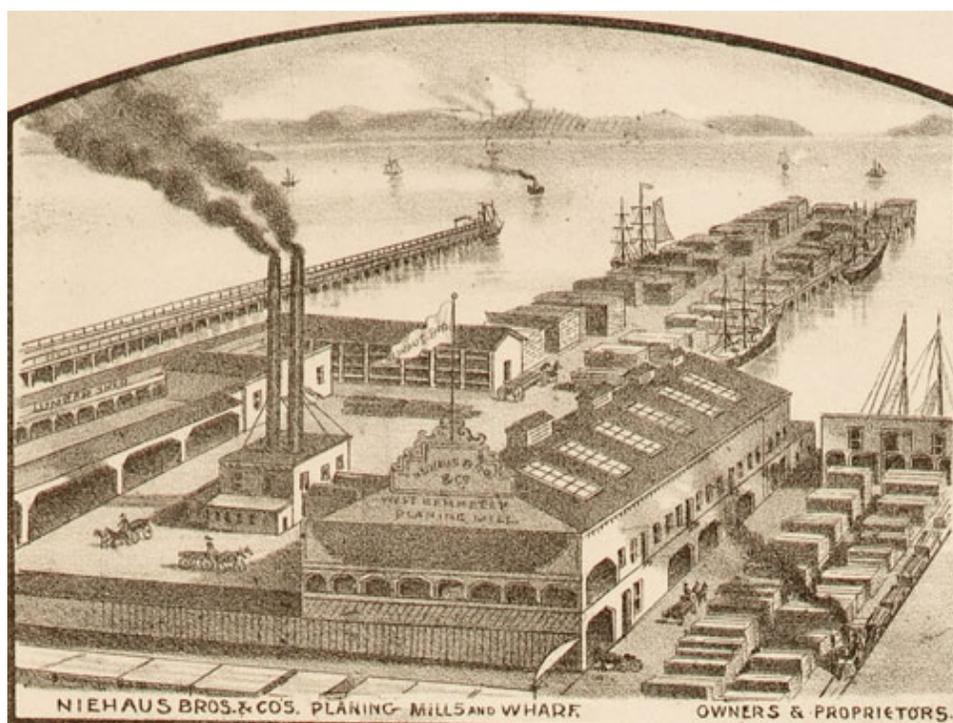


Figure 74. Niehaus Bros.' West Berkeley Planing Mill  
(Irwin & Johnson's *Birdseye View of Berkeley, California*, 1891)<sup>47</sup>

Despite their joint success, the Lord & Boynton partnership was short-lived. In 1890, the partners went their separate ways. That year, *Edwards Transcript of Records* published four projects carried out by Boynton without Lord.

Of the houses Lord & Boynton built together, only five, including the Payson House, are known to have survived. The other four are the Julius Alfred Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; the Harry S. Thompson House, 1491 Hopkins Street; and the James & Cecilia Luttrell House, 2328 Channing Way. No two of these surviving houses are alike.

### **Later owners of the Payson House**

#### **Kimball G. Easton & Katherine O. Easton**

In 1919, Etta Payson sold the house to Kimball Gushee Easton (1865–1925) and his wife, Katherine Olden Easton (1863–1940). The Eastons and their daughter, Esther Katherine, then a student at the University of California, were listed in the 1922 directory as residing at 1915 Berryman Street.

<sup>47</sup> Edwin S. Moore, publisher. Bancroft Library.  
<https://oac.cdlib.org/ark:/13030/tf9t1nc0rn/?brand=oac4>

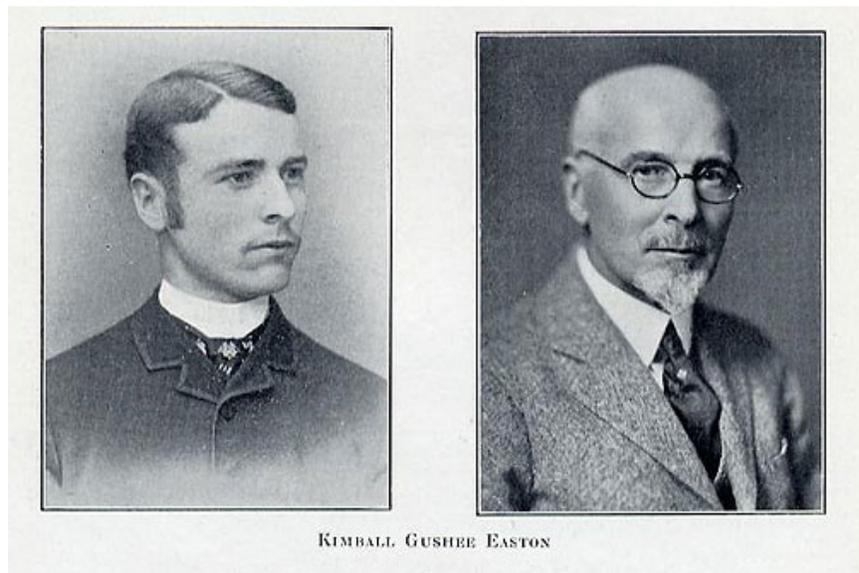


Figure 75. Kimball Gushee Easton as a student and in later life  
(*The Class of 1886 in 1926*)<sup>48</sup>

A biography of Kimball Easton appeared in the *California Historical Society Quarterly* shortly after his death.<sup>49</sup> The author was none other than Anson Stiles Blake, who wrote:

#### IN MEMORIAM

##### Kimball Gushee Easton

Kimball Gushee Easton, son of the reverend Giles A. Easton and Mary Gushee Easton, was born in San Francisco, September 25, 1865, and died suddenly in Berkeley, March 21, 1925. He spent his early boyhood in Benicia and attended the Episcopal School there. Later, when the family moved to Berkeley, he attended the Berkeley Gymnasium up to the time of entering the University of California. He earned the money to put himself through the University by working as a printer's devil and other odd jobs. While in the University he was active in journalism and was co-editor of the campus paper that developed into the "Blue and Gold." The first "Blue and Gold" to appear in book form was issued by his class and under his direction.

He graduated from the University in 1886. After graduation he went into the employ of The Oakland Paving Company, supervising as his first work the first pavement laid in Berkeley, on Dwight Way. A few years later, the late C. T. H. Palmer sought his assistance to rescue a paving company he had started in Los Angeles, and he removed there. After a few years he returned to Berkeley to live and formed a partnership with Arthur R. Wilson to carry on a general contracting business. When this partnership was dissolved he became associated with the firm of Bates, Borland and Ayer and continued with them until the time of his death.

He was married on October 4, 1892, to Katherine Olden who survives him. Three children were born of this union. Olden Alexander Easton who

<sup>48</sup> <http://freepages.rootsweb.com/~npmelton/genealogy/cal26inx.htm>

<sup>49</sup> <https://online.ucpress.edu/ch/article/4/2/214/30220>

died in infancy, Dorothea Alice Easton, now Mrs. Robert Harter, and Esther Katherine Easton.

Mr. Easton was an ardent lover of his native country and enjoyed the outdoor life it affords most thoroughly. He spent all of the time he could spare from his busy life in the cities, in the Sierra, where his little mountain ranch was the point of departure for many expeditions. He was also a student all his life and was well versed in the poetry of the English and French languages. He was one of the few in his generation who continued to read Latin and Greek literature for enjoyment only.

He was a member of the Society of California Pioneers and took a great interest in their affairs; and was, at the time of his death, one of their trustees.

ANSON S. BLAKE

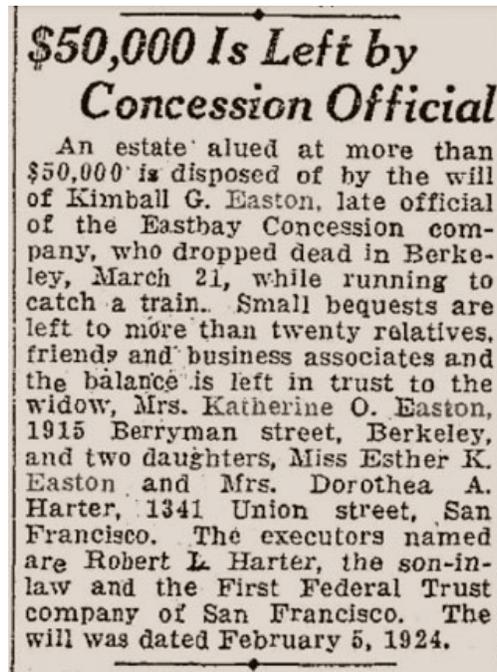


Figure 76. Oakland Tribune, 1 April 1925

Katherine Olden Easton was born in San Jose. In 1893, in San Francisco, she studied at the California School of Design, forerunner of the San Francisco Art Institute. In 1893, the school became affiliated with the University of California, was housed in the Mark Hopkins mansion atop Nob Hill, and became known as the Mark Hopkins Institute of Art.

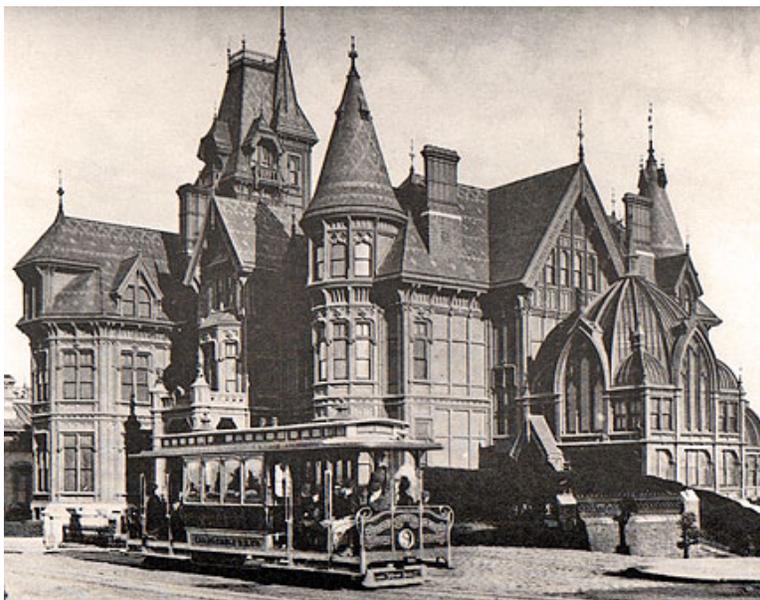


Figure 77. Mark Hopkins Institute of Art, San Francisco

Katherine Easton is listed in Edan Hughes's *Artists in California, 1786-1940* and in *Jacobsen's Biographical Index of American Artists* (2002). In 1909, she and co-author Sadie Bowman Metcalfe, also of Berkeley, copyrighted a modern drama in three acts titled *The Upheaval*. Her daughter, Esther Katherine Easton (1900–1980), was also an artist. As a student at the University of California, she was a member of the Delta Epsilon women's art honor society<sup>50</sup> Like her mother, Esther is listed in *Jacobsen's Biographical Index of American Artists*.

In 1928, Katherine and Esther were living with the married Payson daughter, Dorothea Harter, in a new house the Harters had built at 797 San Luis Road (future home of architect James W. Plachek). The 1930 U.S. Census taker found mother and daughter lodging on a farm in Groveland, outside Yosemite. Edan Hughes located Katherine in Carmel in 1933. That may be where she met Hattie G. Parlett, to whom she sold the Payson House about that time.



Figure 78. Esther K. Easton  
(1923 Blue and Gold)

### **Hattie G. Parlett & Adelene K. Lewison**

Hattie Goodrich Parlett (1871–1971) was born in Baltimore, Maryland. Her father, Benjamin Francis Parlett (1824–1884), established B.F. Parlett & Co., a

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<sup>50</sup> 1923 *Blue and Gold, a Record of the College Year 1921-1922*.

wholesale tobacco business, in 1843, later adding a tobacco manufacturing facility in Danville, Virginia.

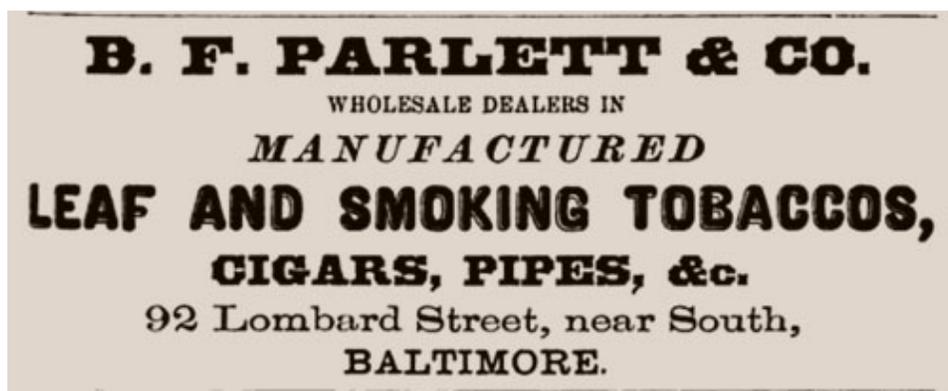


Figure 79. Ad in *"The Monumental City, Its Past History and Present Resources,"* 1873

Shortly after the turn of the century, Hattie and her mother moved to Mount Vernon, New York, where they were enumerated in the 1905 New York State Census. Hattie bred English toy spaniels. The American Kennel Club's official stud book of 1908 listed three of her prize-winning dogs: Baltimore Belle, Baltimore Best Girl, and Rosemary Calvert.

Hattie's mother died in 1912, freeing the 41-year-old Hattie to start a new life. She moved to Hartford, Connecticut and met Adelene Kneeland Lewison (1870–1951), the woman who would become her life partner. The two traveled widely during the 1920s, and by 1930 had come to live in Carmel, where they were listed as residing on Dolores Street, between Second and Third avenues. In the 1930 U.S. Census, the occupation of both women was listed as Art Needlework.

In Carmel's small art community of the early 1930s, it was natural for Katherine Easton and Hattie Parlett to have known each other. This may explain how, by 1935, Hattie and Adelene were the occupants of the Payson House, where Adelene continued to produce art needlework.

In 1939, the two women began sharing their home with Hattie's widowed niece, Isabel Carter Todd (Smith) Knipp (1890–1968), who arrived by ship from New York. Isabel probably lived on the second-floor, which at the time was still part of the main residence. In 1942, after Hattie sold the house to Harry and Ruth Miller and moved to Hayward, Isabel was still registered to vote at 1915 Berryman Street but soon found other accommodations in Berkeley.

### **Harry V. & Ruth E. Miller**

The Miller family and its descendants have owned the Payson House and lived in it for 78 years, beginning circa 1941–42.

Harry Vincent Miller (1891–1961) was born in Albany, New York, to a working-class family. His father was a house carpenter, and all the Miller children went to work after completing eight years of elementary school. One of Harry's elder sisters, Henrietta, worked as a clerk in a printing office, and an older brother apprenticed with a printer before becoming a house painter. Harry also went into the printing trade; at the age of 18, he was enumerated in the 1910 U.S. Census as a stereotyper, an occupation he practiced his entire working life.

During World War I, Harry served two years in the U.S. Marine Corps, exiting the service in October 1919 with excellent character. He moved to Colorado, where he married Ruth C. Earnest (1899–1986) in June 1922.

Ruth was born on a farm in Clifton, South Dakota. A year or so after her birth, the family moved to Lane County, Oregon. Ruth's father died in 1911, her mother remarried the same year and died in 1913, when Ruth was 13. Ruth was sent to live with her father's married sister, growing up on a farm in Martin, Kansas.

Harry and Ruth Miller married in Pueblo, Colorado. In 1930, they were living in Denver with their two young daughters, Betty Ruth, 7, and Helen Marie, 4. Harry was employed by the *Rocky Mountain News*. By 1940, they had relocated to Englewood, Colorado, where Harry earned \$1,800 a year from his stereotyping job at a local newspaper. The Millers' youngest child, Edward Earnest Miller, was then five years old. Harry's sister, Henrietta, was living with the family and working as a binder in a printing establishment. The family moved to the Bay Area in 1941.

In 1942, Harry Miller's World War II draft registration card documented him as living at 1915 Berryman Street and working for the *Oakland Post-Inquirer*. His obituary in the *Oakland Tribune*, however, stated that he had been a *Tribune* employee from 1941 until his retirement in 1958.

The Millers moved into their Berkeley house just as the United States entered World War II. During the war years, many houses in Berkeley were being converted into apartments in order to help house the influx of war-industry workers. That was when Harry Miller converted the house to two apartments, although the building permits leave a gap in the chronology.

Harry Miller died on 6 April 1961. The *Oakland Tribune* published his obituary the following day.

#### **Death Takes H. V. Miller at Age 69**

BERKELEY, April 7—Harry V. Miller, longtime Berkeley resident active in veterans' organizations, died yesterday in a Livermore hospital. Mr. Miller, 69, was a retired stereotyper and was an employee of The Tribune from 1941 to 1958. A World War I veteran, he was a member of the Veterans of Foreign Wars, Post 703, Berkeley; Disabled American Veterans, Chapter 7, Oakland; and American Legion Post 240, El Cerrito. He also was a member of St. Mary Magdalen Church, the Holy Name Society and the International Stereotypers and Electrotypers Union, Local 29, San Francisco. He lived for many years at 1915 Berryman St. and was a native of Albany, N.Y. Mr. Miller is survived by his widow, Ruth; daughters Mrs. Betty Ruth Geritz of Berkeley and Mrs. Helen Marie Petrash of San Lorenzo; a son, Edward E. Miller, Berkeley; sister, Henrietta Miller and brother, Frank, both of Albany, N.Y.; and 10 grandchildren. The Rosary will be recited at 8 p.m. today at the Berkeley Hills Chapel, Shattuck Ave. and Cedar St. A Requiem Mass will be said at 9:30 a.m. tomorrow at St. Mary Magdalen Church. Interment will be in St. Joseph's Cemetery, San Pablo.

On 25 October 1961, Ruth Miller deeded the property at 1915 Berryman Street to her three children, Betty Ruth Geritz (1923–2011), Helen Marie Petrash (1925–201?), and Edward Earnest Miller (1934–). Ruth died in 1986. The next principal

residents in the house were Helen Petrash and her husband John (1922–2016), an expert archer and scuba diver.

Helen Petrash died a few years before her husband. Their daughter, Paula, moved in to look after her father. In the photo below, they are shown at home a year before John's death.<sup>51</sup>



*Figure 80. Paula Petrash & her father (center) at home, 2015  
(courtesy of Joe Timmons, Aqua Tutus Club)*

Until earlier this year, the property was jointly owned by no less than ten different trusts representing members of the extended Miller family. The heirs finally sold the family's historic home this year, to a couple from Sunnyvale whose business model entails buying old houses, razing them, and constructing multiple units on the parcels. They have done so recently at 2212 Tenth Street.

### **Chronology of the Payson House ownership**

1889–1919	William H. & Esther L. Payson
1919–c. 1935	Kimball G. & Katherine O. Easton
c. 1935– c. 1942	Hattie G. Parlett
c. 1942–2020	Harry V. & Ruth E. Miller and descendants
2020–	Alon & Ravit Danino

<sup>51</sup> "In Memoriam, John Petrash." Aqua Tutus, 25 October 2016.  
<https://aquatutus.org/in-memoriam-john-petrash/>

16. Context



Figure 81. The neighborhood in 1950 (Sanborn map)



Figure 82. 1913 Berryman Street, 1971 (Donogh files, BAHA archives)

Between 1929 and 1950, there were few changes in the neighborhood. The most noticeable addition consisted of two new townhouses on the western half of the original Payson parcel, which had been subdivided prior to 1929. Each containing a pair of semi-detached units, these townhouses, 1911 and 1913 Berryman Street, were constructed in 1937 by the well-known architect Paul Hammarberg (1911–2009), who was also the owner.

The next change was more significant. In 1960, Grace Pinkerton, whose father had built the family’s Colonial Revival house at 1931 Berryman Street in 1903, moved to Marin County and sold the parcel as an “excellent location for multiple units. Zoned R-3 for 8–9 units.” That is exactly what was built there next.

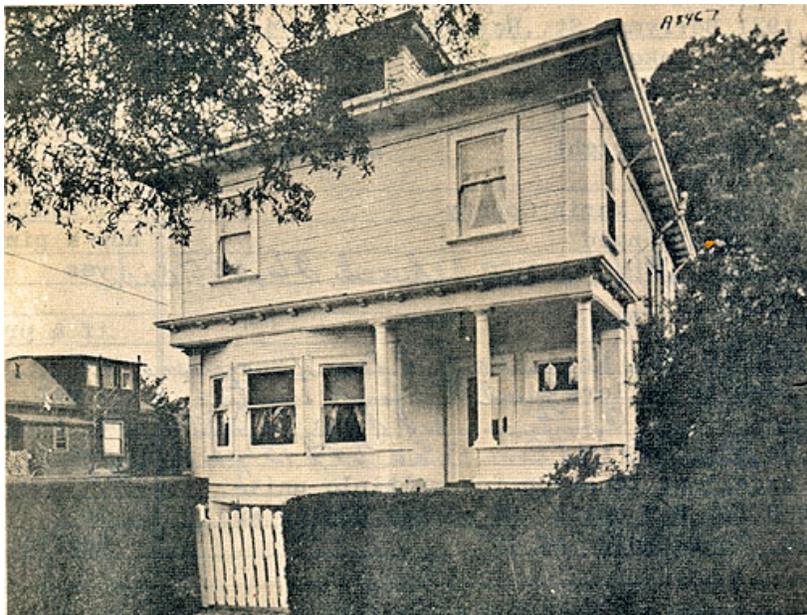


Figure 83. Pinkerton house, 1931 Berryman Street, in 1960 (Donogh files, BAHA archives)



Figure 84. Apartments, 1931 Berryman Street (Google Street View)

No photograph has been found of the historic Frederick & Susan Berryman house (1888), which stood on the southwest corner of Berryman Street and Bonita Avenue. Susan Berryman died in 1935 at the age of 84. In 1966, the Berryman house was occupied by Clark Armstrong, an insurance executive. This house was torn down, along with two others—1906 Berryman (built in 1926) and 1908 Berryman (also owned by the Berryman family)—and replaced circa 1972 with a 24-unit apartment building that has aged badly and is a blight on the streetscape.



*Figure 85. 1906 Berryman Street (Donogh files, BAHA archives)*



*Figure 86. Raj Properties apartments, 1910 Berryman Street*

With the exception of the two large apartment buildings on the northeast and southwest corners of the Berryman-Bonita intersection, the neighborhood retains much of its historic character. One- and two-story residences in various

architectural styles, an abundance of trees, and the proximity of Codornices Creek give the area a decided bucolic air.



*Figure 87. 1200 block of Bonita Avenue, looking north (Google Street View)*



*Figure 88. 1200 block of Bonita Avenue, west side*



*Figure 89. 1300 block of Bonita Avenue, west side (Google Street View)*



*Figure 90. 1300 block of Bonita Avenue, east side (Google Street View)*



*Figure 91. Berryman Street east of Bonita Avenue (Google Street View)*



*Figure 92. The neighborhood today (Apple Map)*

## 17. Significance

**Consistent with Section 3.24.110A.1.b.**, the William H. & Esther L Payson House possesses architectural merit. It was built in 1889 by the important construction firm of Lord & Boynton and is one of only five surviving buildings constructed by that firm. The Payson House's appearance is unique in the firm's surviving body of work; it is the only single-story, unadorned, hip-roofed building, reflecting the Unitarian spirit of its first owners.

**Consistent with Section 3.24.110A.1.c.**, the Payson House is worth preserving for the exceptional values it adds to the neighborhood fabric. It was one of the first houses built north of Berryman Street—an area that wasn't even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract, which had been subdivided in 1875.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

In addition, the Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. The other three

corners are occupied by apartment buildings dating from the 1920s, 1960s, and 1970s, respectively.

**Consistent with Section 3.24.110A.4.**, the Payson House has historic value. Its builders were the Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921), who arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today.

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

**18. Is the property endangered?** Yes, a demolition permit has been applied for.

**19. Reference Sources:**

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA, Berkeley Historical Society, Ancestry.com.

Block files. BAHA.

Tract maps & Sanborn Fire Insurance Maps. BAHA.

Assessor’s maps. Alameda County Assessor’s Office.

U.S. Census and California Voter Registration records. Ancestry.com.

Ormsby Donogh files. BAHA.

Nelson, Marie. *Surveys for Local Governments—A Context for Best Practices*. California Office of Historic Preservation, 2005. [http://ohp.parks.ca.gov/pages/1054/files/Survey\\_Savvy\\_CCAPA.pps](http://ohp.parks.ca.gov/pages/1054/files/Survey_Savvy_CCAPA.pps)

**20. Recorder:**

Daniella Thompson  
2663 Le Conte Avenue  
Berkeley, CA 94709

**Applicant:**

Deborah Kropp  
1231 Bonita Avenue  
Berkeley, CA 94709

**Date:** June 2020



PLANNING AND DEVELOPMENT DEPARTMENT  
LAND USE PLANNING DIVISION

## LANDMARKS PRESERVATION COMMISSION ACTION MINUTES

**Date:** Thursday, August 6, 2020  
**Time:** 7:09 PM  
**Place:** On-Line (No Physical Location)  
**Attendees:** 147

**1. ROLL CALL**

Abranches Da Silva  
Adams  
Allen  
Crandall  
Enchill  
Finacom  
Johnson  
Montgomery  
Schwartz

**2. EX-PARTE COMMUNICATIONS**

**3. PUBLIC COMMENT on Non-Agenda and Information Items**  
None.

**4. AGENDA CHANGES**

**A. Consent Calendar:** Adopt a Consent Calendar with the recommended action for Agenda Items 7 and 9.

**B. Other changes**

Motion: To add items 10 and 11 to the Consent Calendar and adopt the Consent Calendar, and place items 7 and 9 from the Consent Calendar before Item 5.

M/S/C: Finacom/Enchill

Vote: 8-1-0-0

Yes: Abranches Da Silva, Adams, Allen, Enchill, Finacom, Johnson, Montgomery, Schwartz; No: Crandall; Abstain: none; Absent: none.

**6. 1915 Berryman Street – Landmarks or Structure of Merit (#LMIN2020-0003) designation for The Payson House\*\***

Open public hearing and consider a request to grant designation status to a residential property, in accordance with BMC Section 3.24.130.

Speakers: 78

Motion: To close the public hearing.

M/S/C: Crandall/Abranches Da Silva

Vote: 8-1-0-0

\*\* INDICATES THAT THE LANDMARKS PRESERVATION COMMISSION RECEIVED DOCUMENTS (NOTICES OF DECISION, STAFF REPORTS, APPLICATION MATERIALS OR CORRESPONDENCE) AS PART OF THE PACKET THAT WAS DELIVERED PRIOR TO THIS MEETING.

**Landmarks Preservation Commission**

AUGUST 6, 2020

**ACTION MINUTES**

PAGE 2

Yes: Abranches Da Silva, Adams, Allen, Crandall, Enchill, Johnson, Montgomery, Schwartz;  
No: Finacom; Abstain: none; Absent: none.

Motion: To deny Landmark or Structure of Merit designation status and adopt draft findings for denial.

M/S/C: Crandall/Abranches Da Silva

Vote: 7-2-0-0

Yes: Abranches Da Silva, Adams, Crandall, Enchill, Johnson, Montgomery, Schwartz; No: Allen, Finacom; Abstain: none; Absent: none.

**7. ADJOURN 11:35 PM**

Motion: To adjourn.

M/S/C: Crandall/Montgomery

Vote: 9-0-0-0

\*\* Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.

**MINUTES**  
**BERKELEY CITY COUNCIL MEETING**

**Tuesday, October 13, 2020**  
**6:00 PM**

JESSE ARREGUIN, MAYOR

Councilmembers:

DISTRICT 1 – RASHI KESARWANI  
DISTRICT 2 – CHERYL DAVILA  
DISTRICT 3 – BEN BARTLETT  
DISTRICT 4 – KATE HARRISON

DISTRICT 5 – SOPHIE HAHN  
DISTRICT 6 – SUSAN WENGRAF  
DISTRICT 7 – RIGEL ROBINSON  
DISTRICT 8 – LORI DROSTE

**PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE**

*Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.*

*Live audio is available on KPFB Radio 89.3. Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>.*

*To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://us02web.zoom.us/j/88371105282>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.*

*To join by phone: Dial **1-669-900-9128** or **1-877-853-5257 (Toll Free)** or **1-888-475-4499 (Toll Free)** or **1-833-548-0276 (Toll Free)** or **1-833-548-0282 (Toll Free)** and enter Meeting ID: **883 7110 5282**. If you wish to comment during the public comment portion of the agenda, Press \*9 and wait to be recognized by the Chair.*

*To submit an e-mail comment during the meeting to be read aloud during public comment, email [clerk@cityofberkeley.info](mailto:clerk@cityofberkeley.info) with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.*

*Please be mindful that the teleconference will be recorded as any Council meeting is recorded, and all other rules of procedure and decorum will apply for Council meetings conducted by teleconference or videoconference.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, City Clerk, (510) 981-6900. The City Council may take action related to any subject listed on the Agenda. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.*

## Preliminary Matters

**Roll Call:** 6:47 p.m.

**Present:** Kesarwani, Davila, Bartlett, Harrison, Hahn, Wengraf, Robinson, Droste, Arreguin

**Absent:** None

### Ceremonial Matters:

1. Adjourned in memory of Sheila Darr, Local Activist
2. Adjourned in memory of all victims of COVID-19 and the Wildfires

### City Manager Comments:

The City Manager provided an update on the process for Reimagining Public Safety.

**Public Comment on Non-Agenda Matters:** 7 speakers.

## Information Reports

26. **LPO NOD: 1915 Berryman Street/#LMIN2020-0003**  
**From: City Manager**  
Contact: Jordan Klein, Planning and Development, (510) 981-7400  
**Action:** Received and filed.

**Public Comment – Items Not Listed on the Agenda** - 1 speaker.

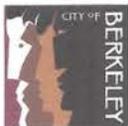
## Adjournment

Adjourned at 11:50 p.m.

I hereby certify that the forgoing is a true and correct record of the regular session meeting held on October 13, 2020.

---

Mark Numainville  
City Clerk



# PLANNING & DEVELOPMENT

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.6903 Fax: 510.981.7420 Email:  
[Planning@cityofberkeley.info](mailto:Planning@cityofberkeley.info)

DATE STAMP HERE

## Landmarks Application Form

For:  Alteration / Sign Permit  
 Landmark Designation

Effective April 3, 2013

Intake Planner \_\_\_\_\_

Project Address: 1915 Berryman St. Berkeley, CA 94709 Zone: \_\_\_\_\_

Project Description: Landmark Application

Date Use Permit or Zoning Permit was applied for: N/A

Associated Permit number: N/A

• **Property Owner Name (Print)** Ravit and Alon Danino

Owner's Mailing Address: 1493 Firebird Way  
Sunnyvale, CA 94089-3450

Daytime Phone # \_\_\_\_\_ E-mail: \_\_\_\_\_

• **Applicant Name (Print)**  SAME as Above: Deborah Kropp

Applicant's Mailing Address: 1231 Bonita Ave.  
Berkeley, CA 94709

Daytime Phone # 510.524.7572 E-mail: travelbydeborah@earthlink.net

*Under penalties of perjury, I certify that the information above and in any attachments hereto, is true and accurate to the best of my knowledge.*

Applicant Signature: Deborah Kropp Date: 6.4.20

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Does the project include:	No Yes		Handout / Application Requirement
	<input type="checkbox"/>	<input type="checkbox"/>	
1. Demolition of, or exterior modifications to, a designated City of Berkeley landmark, structure of merit, or structure in a historic district?	<input type="checkbox"/>	<input type="checkbox"/>	Refer to the "Landmark Preservation Commission: Structural Alteration Permit and Design Review Submittal Requirements"
2. Application to designate a landmark, structure of merit or historic district?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Refer to the "Landmark, Structure of Merit or Historic District Designation Form"



Permit Service Center  
Building and Safety Division  
1947 Center St. 3rd Floor  
Berkeley, CA 94704

# INVOICE

Date: 06/05/20

**Invoice #:** 441546

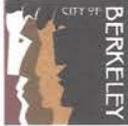
**Record #:** LMIN2020-0003

**Bill to:**

**Address:** 1915 BERRYMAN ST

1915 Berryman Landmark application  
Deborah Kropp  
1231 BONITA AVE  
BERKELEY CA 94709-1922

<b>Date Assessed</b>	<b>Invoiced Fee Item</b>	<b>Fee</b>	<b>Paid</b>	<b>Balance</b>
6/5/2020	LPC: Initiation - Structure LPC010	\$50.00	\$0.00	\$50.00
6/5/2020	Records Management RM	\$50.00	\$0.00	\$50.00
<b>Totals:</b>		\$100.00	\$0.00	\$100.00



# PLANNING & DEVELOPMENT

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

## LANDMARK PRESERVATION COMMISSION Landmark, Structure of Merit or Historic District Petition Form

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

1	Name: <u>Deborah Kropp</u> Please Print	Address: <u>1231 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Deborah Kropp</u>	Date: <u>5-5-20</u>		
2	Name: <u>Alan Kropp</u> Please Print	Address: <u>1231 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Alan Kropp</u>	Date: <u>5.5.20</u>		
3	Name: <u>Jennifer Osborne</u> Please Print	Address: <u>1236 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Jennifer Osborne</u>	Date: <u>5/6/2020</u>		
4	Name: <u>Justine Osborne</u> Please Print	Address: <u>1234 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Justine Osborne</u>	Date: <u>5/6/20</u>		
5	Name: <u>JOHN WADMAN</u> Please Print	Address: <u>1216 Bonita</u>	City: <u>Berkeley CA</u>	Zip: <u>94709</u>
	Signature: <u>John Wadman</u>			

2

Date: 5/6/20

Name of Property:	William and Esther Payson House
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6	Name: <u>Helen Wadman</u> Please Print	Address: <u>1216 Bonita Ave</u>	City: <u>Berkeley CA</u>	Zip: <u>94709</u>
	Signature: <u>Helen Wadman</u>	Date: <u>5/6/20</u>		
7	Name: <u>Kathy McDonald</u> Please Print	Address: <u>1940 Yolo Ave</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>Kathy McDonald</u>	Date: <u>5-7-20</u>		
8	Name: <u>Corinne Eno</u> Please Print	Address: <u>1414 Milvia St.</u>	City: <u>Berkeley</u>	Zip: <u>94709.</u>
	Signature: <u>Corinne Eno</u>	Date: <u>5-7-20</u>		
9	Name: <u>Karen Weil</u> Please Print	Address: <u>1209 Bonita</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Karen Weil</u>	Date: <u>May 7, 20</u>		
10	Name: <u>Deborah Tillis</u> Please Print	Address: <u>1907 Yolo Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>Deborah Tillis</u>	Date: <u>May 7 2020</u>		

Name of Property:	William and Esther Payson House
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11	Name: <u>Elexious Cummings</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/7/20</u>		
12	Name: <u>Jennifer Taylor</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Jennifer Taylor</u>	Date: <u>5/7/20</u>		
13	Name: <u>Jerome Taylor</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/7/20</u>		
14	Name: <u>Margaret Pillow</u> Please Print	Address: <u>1235 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Margaret Pillow</u>	Date: <u>5/8/20</u>		
15	Name: <u>Yentang Lin</u> Please Print	Address: <u>1710 Milvia St.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		

4

Name of Property:	William and Esther Payson House
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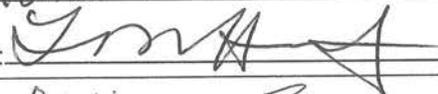
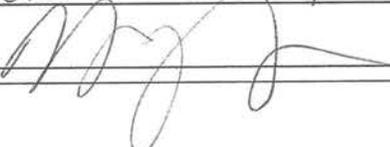
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16	Name: <u>BRUNO LEON-ON</u> Please Print	Address: <u>1935 Yolo Avenue</u>	City: <u>BERKELEY</u>	Zip: <u>CA 94707</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		
17	Name: <u>Madelyn Bullard</u> Please Print	Address: <u>1210 Bonita Ave, Rear</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		
18	Name: <u>Ellen Weinreb</u> Please Print	Address: <u>1909 Berryman</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5.8.20</u>		
19	Name: <u>Rashad Auguste</u> Please Print	Address: <u>1625 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		
20	Name: <u>ELLIOT HALPERN</u> Please Print	Address: <u>1214 MILVIA ST</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5.8.20</u>		

5

Name of Property:	William and Esther Payson House
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21	Name: <u>Tom G. Hall</u> Please Print	Address: <u>1210 Milvia</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/7/20</u>
22	Name: <u>Lillie Brun</u> Please Print	Address: <u>1207 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/7/20</u>
23	Name: <u>Sally Sowko</u> Please Print	Address: <u>1203 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Sally D Sowko</u>			Date: <u>5/7/2020</u>
24	Name: <u>Alex Ruda</u> Please Print	Address: <u>1313 MLK Jr Way #3</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/7/2020</u>
25	Name: <u>Maria DiChiappari</u> Please Print	Address: <u>1313 MLK Jr Way</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/7/20</u>

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26	Name: <u>Kejie Chen</u> Please Print	Address: <u>2204 Doughty way</u>	City: <u>Berkeley</u>	Zip: <u>94704</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
27	Name: <u>PATRICIA KERR</u> Please Print	Address: <u>1915 ROSE ST.</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
28	Name: <u>Paul Newman</u> Please Print	Address: <u>3217 Stratuk me</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
29	Name: <u>Chashig Walker</u> Please Print	Address: <u>1941 Delaware St</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
30	Name: <u>Lynne Carstaphen</u> Please Print	Address: <u>1429 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>

7

Name of Property:	William and Esther Payson House
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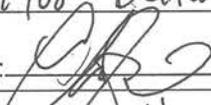
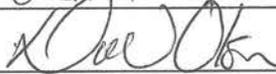
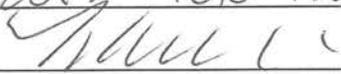
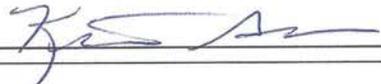
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31	Name: <u>Heather Kinlaw Lofthouse</u> Please Print	Address: <u>1214 The Alameda</u>	City: <u>Berkeley</u>	Zip: <u>CA 94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
32	Name: <u>JIM BHAK</u> Please Print	Address: <u>1800 ROSE</u>	City: <u>BERKELEY</u>	Zip: <u>94703</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/20</u>
33	Name: <u>MARK MORRIS</u> Please Print	Address: <u>1209 BONITA</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/7/2020</u>
34	Name: <u>Kevin Clark</u> Please Print	Address: <u>1260 Hopkins</u>	City: <u>Berkeley</u>	Zip: <u>94702</u>
	Signature: <u>Kevin Clark</u>			Date: <u>5/7/2020</u>
35	Name: <u>Jane Gatto</u> Please Print	Address: <u>2022 Francisco St</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>Jane Gatto</u>			Date: <u>5/7/20</u>

8

Name of Property:	William and Esther Payson House
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36	Name: Christopher Riess <small>Please Print</small>	Address: 1408 Delaware St.	City: Berkeley	Zip: 94702
	Signature: 			Date: 5/7/2020
37	Name: Heather Nicholls <small>Please Print</small>	Address: 1905 BERRYMAN	City: BERKELEY	Zip: 94709
	Signature: 			Date: 5/7/20
38	Name: DAVID OLSON <small>Please Print</small>	Address: 1408 GRANT ST.	City: BERKELEY	Zip: 94703
	Signature: 			Date: 5/8/20
39	Name: LARRY GIUSTINO <small>Please Print</small>	Address: 2015 YOLO AVENUE	City: Berkeley	Zip: 94707
	Signature: 			Date: 5/8/20
40	Name: Kathleen Giustino <small>Please Print</small>	Address: 2015 Yolo Ave	City: Berkeley	Zip: 94707
	Signature: 			Date: 5/8/20

9

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

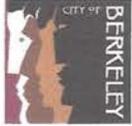
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41	Name: <u>MAGDALENA VANYA</u> Please Print	[Daughter]
	Address: <u>1911B BERRYMAN ST</u>	City: <u>BERKELEY</u> Zip: <u>CA 94709</u>
	Signature: <u>Magdalena Vanya</u>	Date: <u>5/8/2020</u>
42	Name: <u>Don Elvosenkamp</u> Please Print	
	Address: <u>1415 Josephine</u>	City: <u>Berkeley</u> Zip: <u>94703</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8</u>
43	Name: <u>Luther Miller</u> Please Print	
	Address: <u>1913A Berryman St</u>	City: <u>Berkeley</u> Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>
44	Name: <u>Elizabeth Rosenberg</u> Please Print	
	Address: <u>1913B Berryman St</u>	City: <u>Berkeley</u> Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/2020</u>
45	Name: <u>CLERMONT DONAHUE</u> Please Print	
	Address: <u>1905 Berryman St</u>	City: <u>Berkeley</u> Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>

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	Name: <u>MAGDALENA VANYOVA</u> <span style="float: right;">[Mother]</span> <small>Please Print</small>		
46	Address: <u>1911B BERRYMAN ST</u> City: <u>BERKELEY</u> Zip: <u>94709</u>	Signature: <u><i>Magdalena Vanyova</i></u> Date: <u>05/08/2020</u>	
	Name: <u>ALOIS VANYA</u> <small>Please Print</small>		
47	Address: <u>1911B BERRYMAN</u> City: <u>BERKELEY</u> Zip: <u>94709</u>	Signature: <u><i>Alois Vanya</i></u> Date: <u>05/08/2020</u>	
	Name: <u>DAVID TOY</u> <small>Please Print</small>		
48	Address: <u>1911B BERRYMAN ST.</u> City: <u>BERKELEY</u> Zip: <u>94709</u>	Signature: <u><i>[Signature]</i></u> Date: <u>5/8/20</u>	
	Name: <u>Charles Hams</u> <small>Please Print</small>		
49	Address: <u>1909 Berryman St</u> City: <u>Berkeley</u> Zip: <u>94709</u>	Signature: <u><i>[Signature]</i></u> Date: <u>5/8/20</u>	
	Name: <u>GRANT READING</u> <small>Please Print</small>		
50	Address: <u>1343 FRANCISCO ST.</u> City: <u>BERKELEY</u> Zip: <u>94702</u>	Signature: <u><i>[Signature]</i></u> Date: <u>5.9.20</u>	



# PLANNING & DEVELOPMENT

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704  
Tel: 510.981.7410 TDD: 510.981.9603 Fax: 510.981.7420 Email: [Planning@ci.berkeley.ca.us](mailto:Planning@ci.berkeley.ca.us)

## LANDMARK PRESERVATION COMMISSION Landmark, Structure of Merit or Historic District Petition Form

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51	Name: <u>LILLIAN HOWAN</u> Please Print	Address: <u>1935 YOLO AVE</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>	Date: <u>5/8/20</u>		
52	Name: <u>DINA ROUMIANTSEVA</u> Please Print	Address: <u>1330 Milvia</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>3/8/20</u>		
53	Name: <u>Sara Sowko</u> Please Print	Address: <u>1203 Bonita Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>05/08/2020</u>		
54	Name: <u>Scott Sowko</u> Please Print	Address: <u>1203 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>	Date: <u>05/08/2020</u>		
55	Name: <u>Elmer R. Sowko</u> Please Print	Address: <u>1203 Bonita Ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			

Date: 5.8.2020

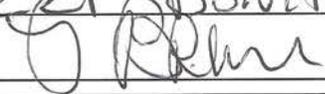
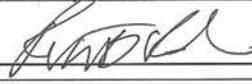
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56	Name: <u>David Akullian</u> Please Print	Address: <u>1207 BONITA AVE</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>5/9/20</u>
57	Name: <u>Harald Leventhal</u> Please Print	Address: <u>1929 Yolo Ave</u>	City: <u>Berkeley</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>			Date: <u>5/9/20</u>
58	Name: <u>KENEE LEVENTHAL</u> Please Print	Address: <u>1929 YOLO</u>	City: <u>BERKELEY</u>	Zip: <u>94707</u>
	Signature: <u>[Signature]</u>			Date: <u>5/9/20</u>
59	Name: <u>Asha Setty</u> Please Print	Address: <u>1415 Josephine St.</u>	City: <u>Berkeley</u>	Zip: <u>94703</u>
	Signature: <u>[Signature]</u>			Date: <u>5/9/20</u>
60	Name: <u>MOHSEN MAHBURIAN</u> Please Print	Address: <u>1221 BONITA AVE</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: <u>[Signature]</u>			Date: <u>MAY 30 20</u>

Name of Property:	William and Esther Payson House
Street Address(es) of Property:	1915 Berryman Street, Berkeley, CA 94709

We the undersigned residents of the City of Berkeley, petition the Landmarks Preservation Commission to designate the property identified above, for consideration as a Landmark, Structure of Merit or Historical District under the provisions of Section 3.24.120 of the Berkeley Landmarks Preservation Ordinance. We certify, under penalty of perjury, that we are residents of the City of Berkeley at the addresses indicated.

61 46	Name: <u>Mikael Mahbubian</u> Please Print	Address: <u>1225 Bonita ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/31/20</u>
62 47	Name: <u>Ali Zarch</u> Please Print	Address: <u>1227 Bonita ave</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5-31-20</u>
63 48	Name: <u>YURIKO BAIHM</u> Please Print	Address: <u>1227 BONITA AVE</u>	City: <u>BERKELEY</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5-30-20</u>
64 49	Name: <u>Robert B Reich</u> Please Print	Address: <u>1230 Bonita Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/14/20</u>
65 50	Name: <u>Perian Flaherty</u> Please Print	Address: <u>1230 Bonita Ave.</u>	City: <u>Berkeley</u>	Zip: <u>94709</u>
	Signature: 			Date: <u>5/14/2020</u>

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

*Land Use Planning  
Received  
June 8, 2020*

**William H. & Esther L. Payson House**  
1915 Berryman Street  
Berkeley, CA 94709



*Figure 1. Payson House, front façade (Alon Danino)*

1. **Street Address:** 1915 Berryman Street  
**County:** Alameda      **City:** Berkeley      **ZIP:** 94709
2. **Assessor's Parcel Number:** 60-2449-13 (Berkeley Villa Association, Block 16, Lot 9)  
**Dimensions:** 141.5 feet (west) x 75 feet (north) x 136 feet (east) x 75 feet (south)  
**Cross Street:** Bonita Avenue
3. **Is property on the State Historic Resource Inventory?** No  
**Is property on the Berkeley Urban Conservation Survey?** No  
**Form #:** N/A
4. **Application for Landmark Includes:**
  - a. **Building(s):** Yes      **Garden:** N/A      **Other Feature(s):**
  - b. **Landscape or Open Space:** Yes
  - c. **Historic Site:** No
  - d. **District:** No
  - e. **Other:** Entire property
5. **Historic Name:** Payson House  
**Commonly Known Name:** Miller House; "Old farm house"
6. **Date of Construction:** 1889      **Factual:** Yes  
**Source of Information:** *Berkeley Herald*, 2 January 1890; 1889 city directory
7. **Designer:** Unknown
8. **Builder:** Lord & Boynton
9. **Style:** Rustic Victorian
10. **Original Owners:** William Hawes Payson & Esther L. "Etta" (Tripp) Payson  
**Original Use:** Single-family residence
11. **Present Owner:**  
Ravit & Alon Danino  
1493 Firebird Way  
Sunnyvale, CA 94087-3450  
  
**Present Occupant:** Unoccupied
12. **Present Use:** Residential (3 units per Alameda County Assessor's Office; sold as two units)  
**Current Zoning:** R-2A      **Adjacent Property Zoning:** R-2, R-2A
13. **Present Condition of Property:**  
**Exterior:** Fair      **Interior:** Fair      **Grounds:** Wooded  
  
**Has the property's exterior been altered?** Yes, in 1925 and mid-1940s.

## Executive Summary

The William H. & Esther L. Payson House is a Victorian-era house built in 1889 by the important but short-lived construction firm of Lord & Boynton, founded by the two Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921). Both partners arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The Payson House is one of only five surviving buildings constructed by Lord & Boynton. It was one of the first houses built north of Berryman Street—an area that wasn’t even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would still recognize it today.



*Figure 2. The Payson House parcel, seen from the east (Google Earth)*

## 14. Description

The William & Etta Payson House is a one- and two-story wood-frame dwelling constructed in 1889. It is located on the northwest corner of Berryman Street and Bonita Avenue, in the center of a large lot, amid several coast live oaks.

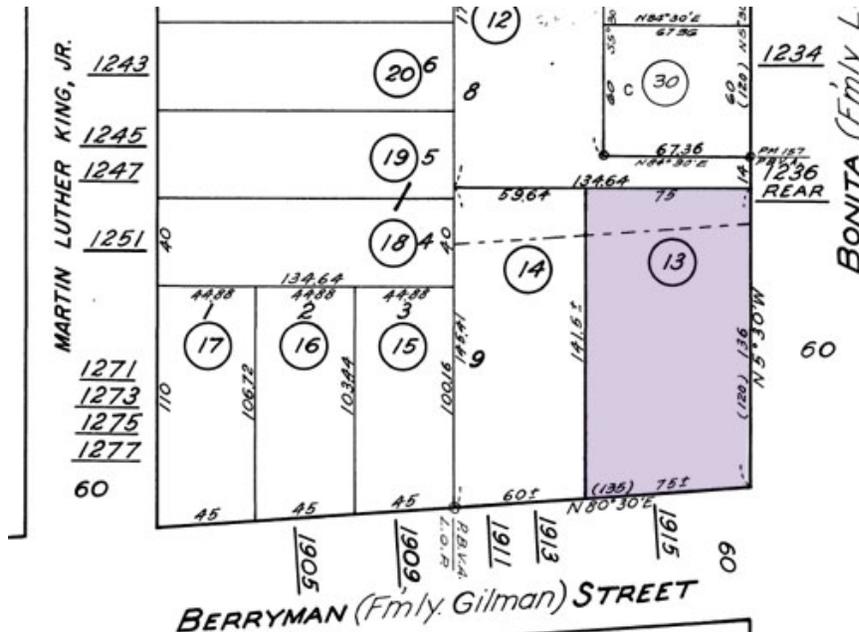


Figure 3. The subject property in the Assessor's Map of Block 2449

The house used to stand on a much larger parcel that included a still extant cottage (now 1234 Bonita Avenue), built c. 1892–93 for Mrs. Payson's sister.

The plan of the Payson House is irregular. The earliest outline available dates from a 1911 Sanborn map (Figs. 4, 5), since the neighborhood north of Berryman Street wasn't sufficiently developed in 1903 to warrant a Sanborn map.

Despite some modifications to the exterior, the 1911 outline is still easily recognizable today. Originally, the house comprised a central rectangular mass surmounted by a hip roof; a projecting gable-roofed front wing at the southeast corner; and a service wing at the northwest corner.

A bay window in the center of the west façade mirrored a square projection on the opposite side.

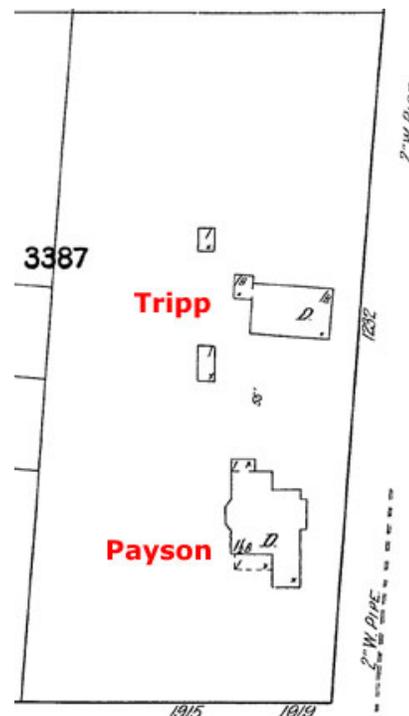


Figure 4. Sanborn map, 1911

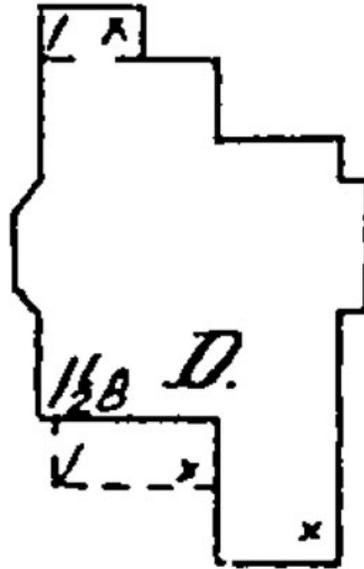


Figure 5. House outline in 1911 (Sanborn map)

As built, the Payson House was one-and-a-half stories high with a basement. The small, south-facing dormer in the hip roof (Fig. 8) marks the front half of the original attic. In 1925, then-owner Katherine Olden Easton (1863–1940), an artist and playwright, created a second story above the central portion of the house, surmounted by a new shallow-pitched roof that sheds over the projections in the east and west walls.<sup>1</sup> That roof is shown in the 1929 Sanborn map below.



Figure 6. The 1889 hip roof, surmounted by the shallow-pitched roof built in 1925.

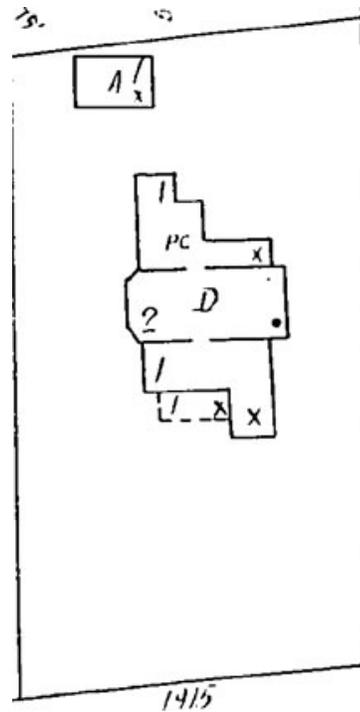


Figure 7. Sanborn map, 1929

<sup>1</sup> Building permit #20766. BAHA archives.

The photo below shows the front of the original hip roof, with the 1925 second-story addition behind. The dormer features a small gable roof with a pediment eave framed in ogee molding, and a double-hung window whose upper sash is divided into 3-over-2 lights.



*Figure 8. Front dormer in the original hip roof. Behind is the second story created in 1925.*

The Payson House is clad in unpainted wood shingles. A shingled skirt flares out over the water table above the basement level, where horizontal V-grooved rustic siding runs along all four sides of the house. The shingle cladding is not original to the house (had it been, it would have made this house the oldest shingled structure in Berkeley). The date of the shingled exterior is unknown; the shingles may have been applied under the influence of Bernard Maybeck, a close neighbor since 1892, or in conjunction with the shingling of the adjacent Tripp-Wollenberg cottage, on which Maybeck is said to have done some work in the first decade of the 20<sup>th</sup> century.

It is assumed that the original exterior was clad in rustic siding of the type seen on the basement-level exteriors. Rustic was the cladding applied to at least one other house constructed by Lord & Boynton in the same year they built the Payson House.

A known example is the James & Cecilia Luttrell House (Ira Boynton, designer; Lord & Boynton, builders, 1889) at 2328 Channing Way.



*Figure 9. Rustic siding, Luttrell House*

**South (front) façade**



*Figure 10. Front façade*

The front façade is asymmetrical, with a gable-roofed wing on the right, projecting south from the main, hip-roofed mass. The roof eaves are closed and shallow. A flight of open wooden stairs leads to the front entrance, which is reached via an opening in an enclosed porch. A horizontal window, apparently aluminum-framed, is embedded flush within the south wall of the porch.



*Figure 11. A view from the south*

A small horizontal wood-framed window faces west from the projecting front wing (Fig. 10). On its south façade, this wing features a pair of attached double-

hung, wood-framed windows whose upper panes are bordered by rows of small, square, plain-glass lights.



*Figure 12. Front wing*



*Figure 13. Windows in front wing*



*Figure 14. Enclosed porch, southwest corner*

As built, the entrance to the house was located within an open porch on the left side of the south façade (Fig. 5). That porch was enclosed in 1946 by then-owner Harry V. Miller, who added a fixed, multi-paned wooden window to the porch's west side (Fig. 15).<sup>2</sup>



*Figure 15. West-facing window in front porch*

<sup>2</sup> Building permit #58971. BAHA archives.



*Figure 16. West façade, seen from the northwest*

### **West façade**

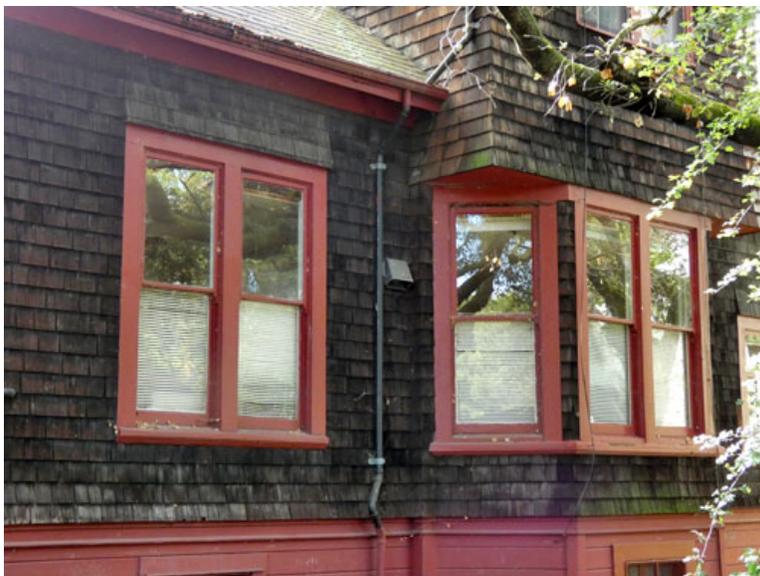
The west façade is the least altered side, with the marked exception of the 1925 second-story addition that rides on top of the central bay window.

This façade is symmetrical, with the central bay flanked by walls of fairly equal length on either side.



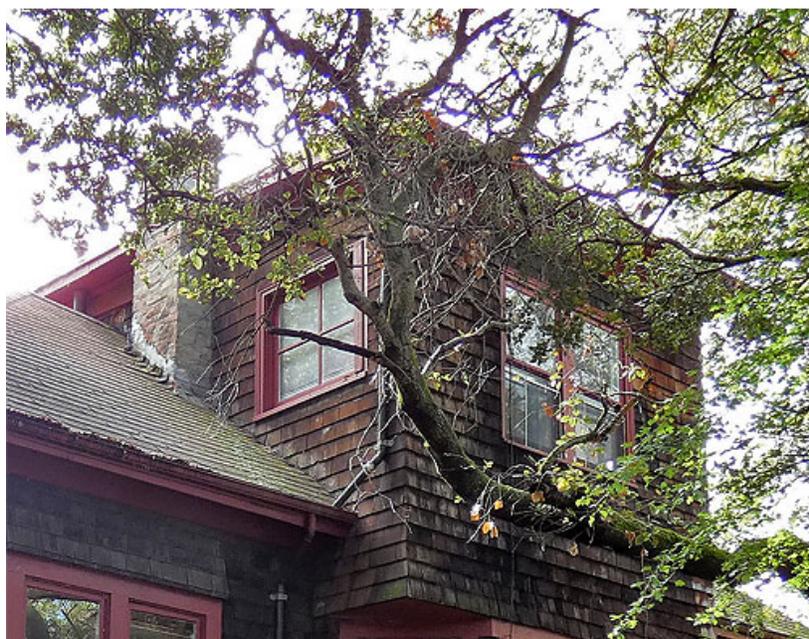
*Figure 17. West façade*

A series of wood-framed windows, all of which appear to be original, lines the main-level walls. From north to south, these include a small double-hung window in the northern service wing; a pair of attached double-hung windows; a central three-sided bay containing four double-hung windows; and a horizontal double-hung window with a 5-over-3 multipaned lower sash (Fig. 21).



*Figure 18. Windows on main level, west façade*

Three sides of the second story have wood-framed windows: casements facing north and south, and a double-hung pair facing west. A red-brick chimney rises from the hip roof, hugging the second-story wall.



*Figure 19. Upper story above west façade*

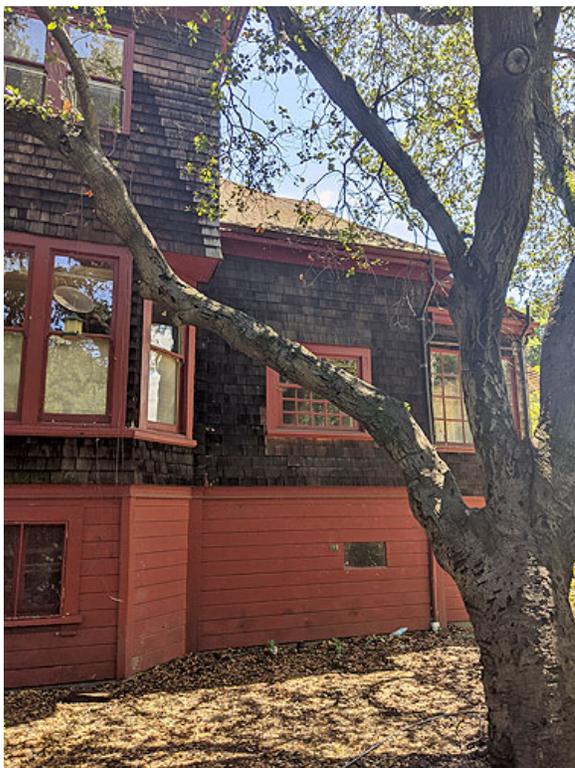


Figure 20. West façade, southern end



Figure 21. West façade, seen from the south  
(Mark Hulbert)



Figure 22. West façade toward the north



Figure 23. Bay window & second story,  
west façade

### East façade

The east façade is the most altered side of the house. By 1950, a one-story addition had been attached to the east wall of the front wing (Fig. 24). This addition appears to have a shed roof and is entered via an external staircase, presumably serving one of the former apartments. The addition was most likely built in the 1940s, possibly during World War II. No specific building permit has been found for this addition.

A wood-framed, double-hung window in the addition's wall appears to be original and may have been transferred from the front wing's wall.

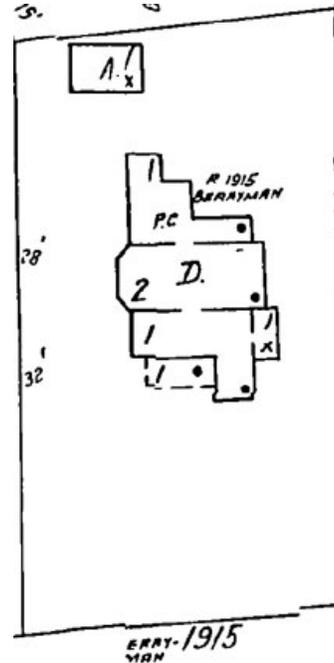


Figure 24. Sanborn map, 1950



Figure 25. Circa 1940s addition, east façade

The 1925 second story extends over the main story's square projection in the center of the east façade. The window on the first story appears to retain its original frame minus the sill, but the sash itself has been replaced with aluminum. The upper story features three east-facing windows, all of vinyl.



*Figure 26. East façade, front & central sections*



*Figure 27. East façade, central section*



*Figure 28. East façade, seen from the north*

The northern section of the east façade includes a wood-framed, double-hung window of the same proportions as seen on the first story of the west façade.



*Figure 29. East façade toward the rear & garage*

### **North (rear) façade**

The north side of the house contains the projecting service wing under its own hip roof. It is entered through an east-facing door with a glazed upper third, reached via a flight of wooden steps. To the left of the door, a narrow wood-framed, double-hung window faces north. A smaller, single-paned window is positioned above the cellar entrance.



*Figure 30. North façade*

On the second story, two double casement windows with 2-over-3 glazed sashes face the rear. Between the service wing and the upper story rises a second brick chimney.



*Figure 31. Brick chimney, north side*



*Figure 32. Cellar & service entrances*



*Figure 33. Windows, north façade*

A one-car garage, clad in  $\frac{3}{4}$  rustic siding, stands in the northwest corner of the property, facing east along a driveway that opens to Bonita Avenue.

The garage was built in 1925 for then-owner Katherine Olden Easton by contractor J.P. Wood,<sup>3</sup> who built the second story at the same time.

#### **Alterations to the house**

The most significant alteration was made in 1925, when contractor James P. Wood raised the central portion of the roof to create a second story with bathroom facilities but no kitchen. The house remained a single-family residence at that time. Owner Katherine O. Easton, whose contractor husband died that year, may have built the second story to give her artist daughter her own space.

By 1945, when owner Harry V. Miller hired contractor George G. Sgritta to make alterations, the house was indicated in the building permit as serving two families. The work was described as follows:



*Figure 34. Garage, built in 1925*

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<sup>3</sup> Building permit #20767. BAHA archives.

Back outside stair to be fix [sic] up.  
~~and a lot more inside work to be done to improve the Bldg.~~  
Inside stairway to be changed.

In 1946, Harry Miller enclosed the front porch, changing the side window. It was during Miller's ownership that the house was divided into apartments, and the small addition with its private entrance at the southeast corner no doubt served that purpose, but no building permit has been found for the separation. By 1955, when Miller applied for a permit to lower the kitchen ceiling, the house was described as a three-family apartment building.<sup>4</sup>

The recent listing of the house, which sold on 18 March 2020, included the following description:

Two story craftsman with a full walk-in basement. Floor plan was 3 units, previous owners removed the common wall between the two main level units to create one large living area to accommodate their large family. Third unit is upstairs.

### **Features to be preserved**

The distinguishing features of the Payson House include the following:

- Rectangular mass with projecting wings at southeast and northwest, and central bays at east and west sides
- Main hip roof; gable roof over southeast wing; gable roof over south dormer; accessory hip roof over northwest wing; shed roofs in rear
- South-facing, gable-roofed dormer with pediment eave
- Ogee molding on roof eaves
- Shingle cladding (or, preferably, original cladding underneath the shingles)
- V-groove Rustic siding on basement-level exteriors
- Water table on all four sides
- Wood-sash windows (double-hung, casement, and fixed; with divided and undivided lights) in flat wood board casings, and projecting window sills with molded apron trim
- Wooden exterior doors
- The remaining six coast live oaks (two trees were cut down in March 2020)

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<sup>4</sup> Building permit #77177. City of Berkeley.

## 15. History

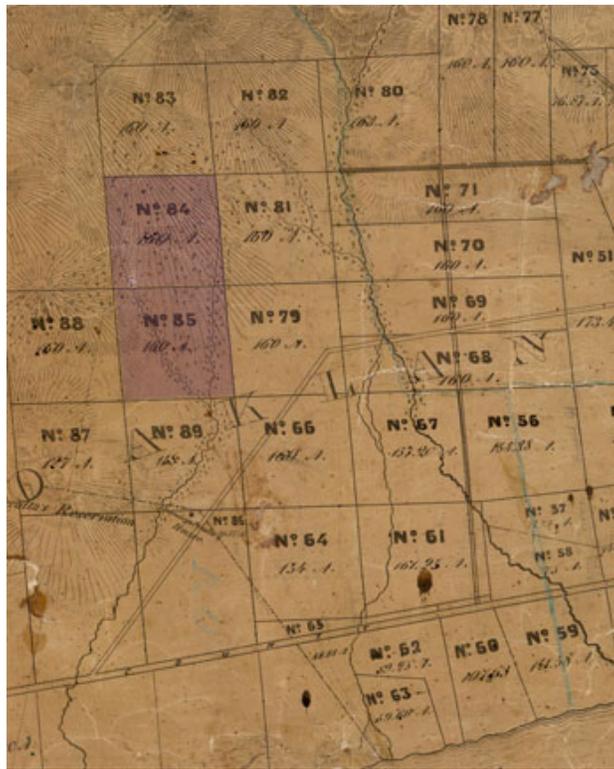


Figure 35. Plots 84 & 85 (shaded) in Kellersberger's Map

The Berkeley Villa Association tract, in which the Payson House is located, was part of Rancho San Antonio, a 44,800-acre Spanish land grant given in 1820 to Sergeant Luís María Peralta (1759–1851) by the last Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of rancho land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger<sup>5</sup> to map the Peralta Ranchos for subdivision purposes.

As related in *Berkeley, the First Seventy-Five Years*, "during the late 1850s and early 1860s Domingo Peralta's former property was the subject of almost continuous parcelings, mortgagings, and transfers. Most of the transactions were

<sup>5</sup> Map of the Ranchos of Vincente & Domingo Peralta. Containing 16970.68 Acres. Surveyed by Julius Kellersberger. Surveyed 1853. Partitioned 1854. Filed Jan. 21st 1857. Courtesy of Barry Lawrence Ruderman Antique Maps, Inc. <http://www.raremaps.com/gallery/enlarge/39956>

made for speculation or investment; a few, to provide homes and ranches for new settlers.”<sup>6</sup>



### Napoleon Bonaparte Byrne

One of the new settlers was Napoleon Bonaparte Byrne (1817–1905), a prosperous plantation owner from New Madrid, Missouri, where he raised thoroughbred horses and cattle.<sup>7</sup>

In the 1850s, malaria was rampant along the Mississippi and Missouri Valleys.<sup>8</sup> Byrne, whose plantation was located by the Mississippi River, decided to move his family to California. He sold the plantation, freed his slaves, and undertook a six-month journey across the plains in a covered wagon, arriving in Oakland in the fall of 1859.

In addition to the Byrne family, the overland party included two freed slaves, Peter and Hannah Byrne, the first African-Americans to settle in Berkeley.

Figure 36. Napoleon Bonaparte Byrne  
(Berkeley Historical Society)



Figure 37. Codornices Creek in March 1861 (detail from James G. Stratton's land case map, Bancroft Library, U.C. Berkeley)

In March 1860, Napoleon Byrne began purchasing land along Codornices Creek. In June 1860, the U.S. Census enumerated the Byrne household in Oakland (Berkeley was not yet named). The household included ten persons: Napoleon and Mary Byrne; their four children; two white laborers, and two African-Americans—Peter, a laborer, and Hannah, a nurse. Byrne's real estate was valued at \$7,000, and his personal estate at \$4,000.

<sup>6</sup> *Berkeley, the First Seventy-Five Years*. Writers Program of the WPA in Northern California. Berkeley: The Gillick Press, 1941.

<sup>7</sup> Mary Tennent Carleton. *The Byrnes of Berkeley, From Letters of Mary Tanner Byrne and Other Sources*. *California Historical Society Quarterly*. San Francisco, 1938. Vol. 17, No. 1, pp. 41–48.

<sup>8</sup> Sok Chul Hong. *The Burden of Early Exposure to Malaria in the United States, 1850–1860: Malnutrition and Immune Disorders*. *J Econ Hist*. 2007 Dec; 67(4): 1001–1035.

Napoleon Byrne continued to acquire land from four different sellers; by April 1861, he was in possession of 827 acres in plots 84 and 85 of Kellersberger's Map.

In 1868, the Byrnes built an elegant Italianate villa surrounded by a large garden, located at what is now 1301 Oxford Street. In 1870, the U.S. Census recorded the value of Byrne's real estate at \$100,000, and his personal estate at \$10,000. The household numbered 12 persons, including three new Byrne children, a Canadian-born laborer, an Irish-born woman servant, and a Chinese waiter. The former slaves were no longer part of the household; Peter Byrne changed his surname to Wilson and established himself as a whitewasher in Oakland.



Figure 38. *The Byrne house, built in 1868 (Pettitt: Berkeley, the Town and Gown of It)*

Although the farm was "good enough to pay for itself with one or two crops," Napoleon Byrne was not pleased with the soil, feeling that it was "not of the first class," as Mary Byrne wrote to relatives in Missouri. He had begun to sell portions of his land in 1868. Having heard of the enormous crops that could be raised in the Sacramento-San Joaquin River Delta, Byrne joined three friends in 1873 and purchased the marshy, 3,100-acre Venice Island, where he moved with his family. He financed the purchase by selling the final large chunk of his Berkeley land to businessmen Henry Berryman and Felix Chappellet for \$49,000, reserving for himself the family house and the surrounding 11 acres. The Byrnes would never again occupy their villa.

### **Berryman, Chappellet and the Berkeley Villa Association**

Henry Burpee Berryman (c. 1842–1903) was born in New Brunswick, Canada. As a young man, he moved to San Francisco and began working for another New Brunswicker, a wealthy coal merchant named James R. Doyle. Doyle died

in 1872, leaving a sizable estate. Shortly thereafter, his widow, Louisa McKevo Doyle, married Henry Berryman, who “took entire charge of the affairs of her husband’s estate.”<sup>9</sup>

The Doyle estate enabled Berryman to join the French-born merchant and former mining operator Felix Chappellet (1828–1902) in purchasing Napoleon Bonaparte Byrne’s land in 1873.

Berryman and Chappellet had the land surveyed in October 1873. On 27 July 1875, a subdivision map of the Berkeley Villa Association tract (Fig. 40) was filed in the Alameda County Recorder’s Office. The tract occupied the northern half of Plots 84 and 85 in Kellersberger’s map (Fig. 35).

As drawn in the 1875 map, the tract was a grid comprising 32 rectangular city blocks bounded by Rose Street to the south, Josephine Street to the west, and Eunice (then Durant) Street to the north. East of Arch Street, eight blocks stretched deep into the hills, ending with the imagined East Street. The eight eastern blocks were never realized as drawn.



Figure 39. Felix Chappellet

Blocks 22 and 23 remained Napoleon Bonaparte Byrne’s property. However, Byrne soon ran into financial difficulties on Venice Island, as the cost of employing Chinese labor to build levees and reclaim the marsh proved prohibitive. In 1877, Byrne sold his Berkeley house to Henry and Louisa Berryman, who made it their home.

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<sup>9</sup> Mrs. Louisa Berryman’s deposition in a trust court case brought against the Berrymans. *Daily Alta California*, 26 January 1890, page 8, column 1.

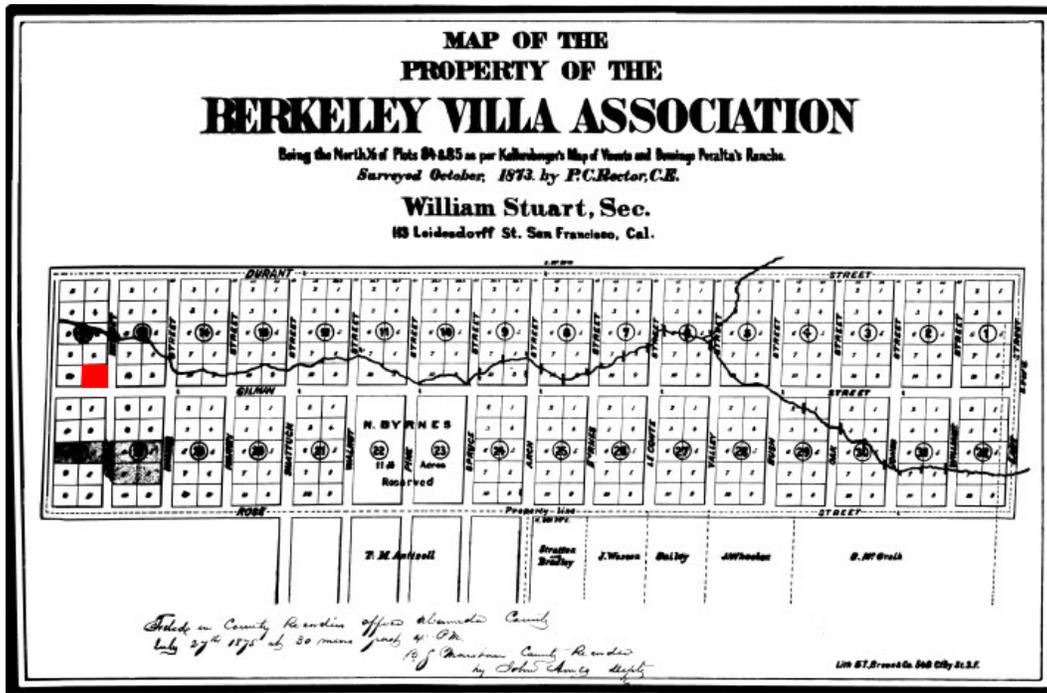


Figure 40. Berkeley Villa Association tract map, filed in 1875. Lot 9 in Block 16 is marked in red.

In June 1878, the Oakland real estate agent G.F.E. Brinckmann filed a map of the Berryman Tract that advertised select lots for sale at auction. This map showed a more realistic view of the terrain, with the area east of Spruce Street no longer laid out in a uniform grid but with parcels of various shapes and sizes set along meandering streets. The old Byrne house and grounds were marked "H.B. Berryman" (Fig. 41).

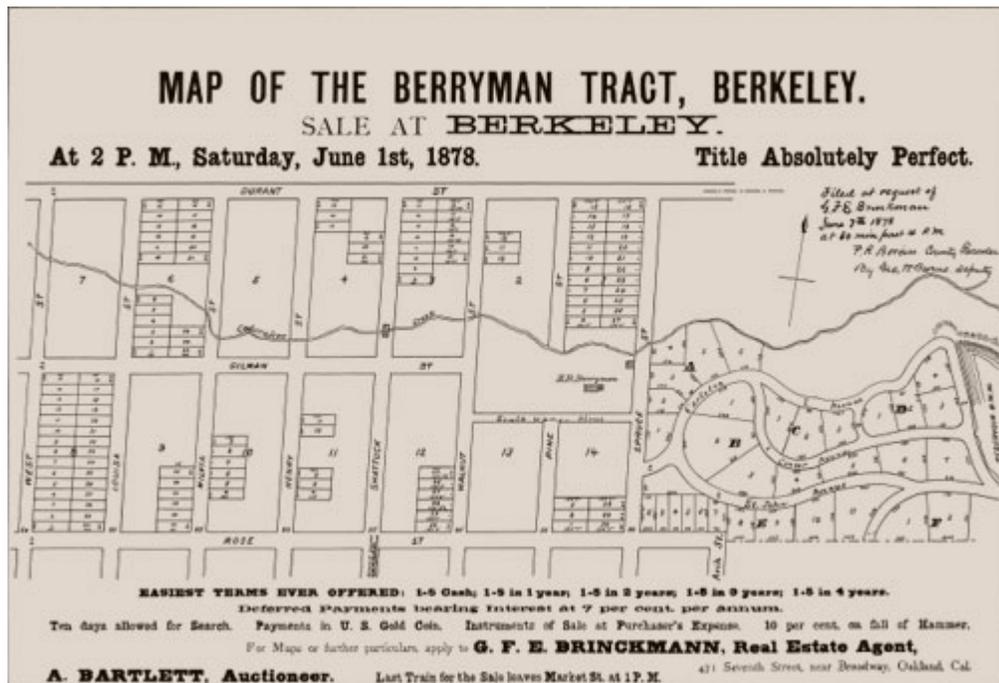


Figure 41. Map of the Berryman Tract filed by G.F.E. Brinckmann, June 1878

In 1880, the map published by Berkeley realtors Carnall & Eyre (Fig. 42) revealed a more modest subdivision. The Byrne property was now called the Berryman Reserve.

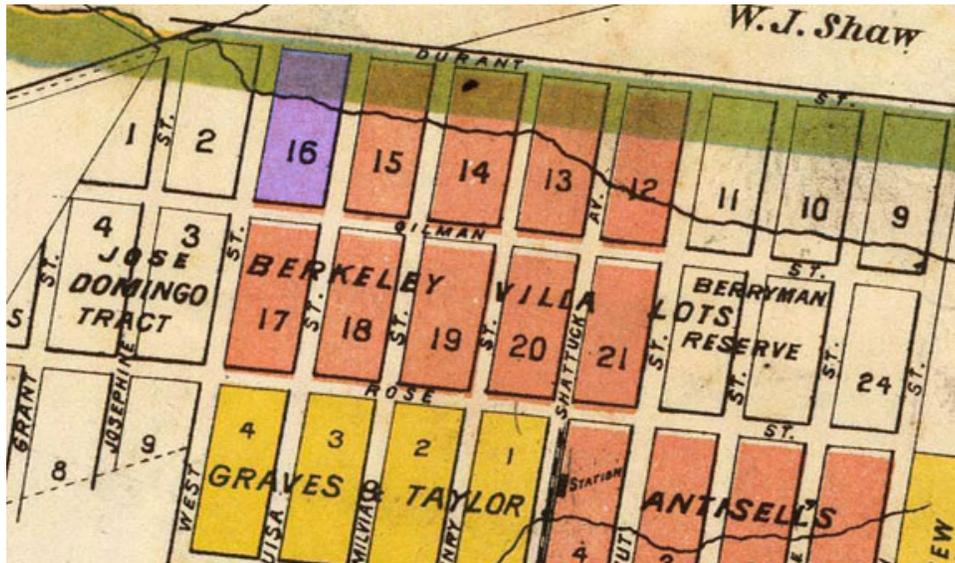


Figure 42. Block 16, Berkeley Villa Association tract (Carnall & Eyre map of Berkeley, 1880)<sup>10</sup>

Even before the first subdivision map of the Berkeley Villa Association tract was filed, Chappellet and Berryman began selling lots, as evidenced by a newspaper advertisement (Fig. 43) published in June 1875.

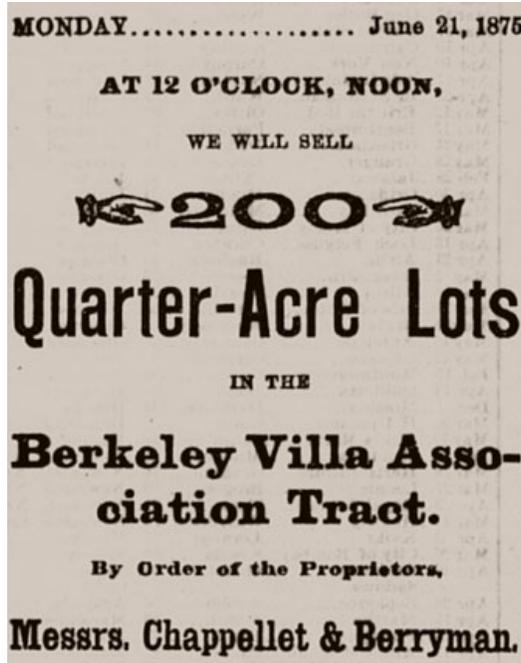


Figure 43. Detail from an ad by Olney & Middleton  
(Daily Alta California, 4 June 1875, page 3)

<sup>10</sup> David Rumsey Map Collection.

The nearly full-column ad, taken by the real estate auctioneers Olney & Middleton in the *Daily Alta California* on 4 June 1875, promised unsurpassed views, comprising “a panorama extending from Petaluma on the north to Santa Clara on the south, and including the Bay and its Islands, the Golden Gate, Redwood City and San Mateo, together with New Saucelito [sic] and San Rafael on the west.”

The ad further announced:

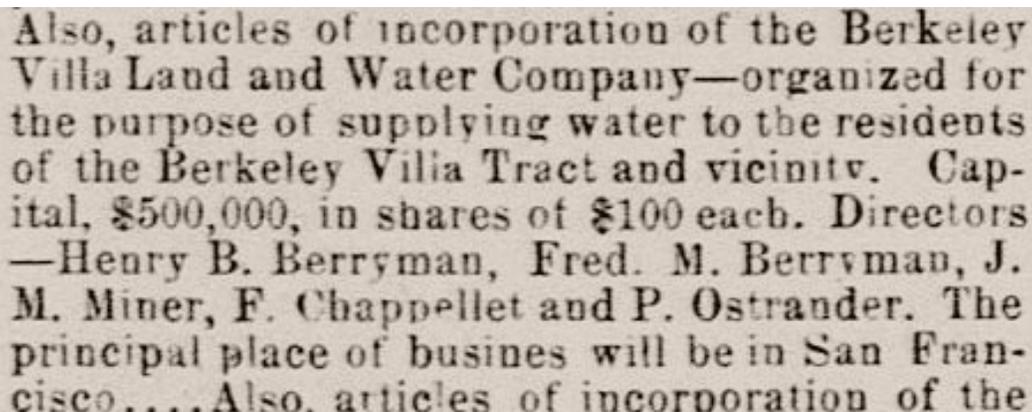
This property connects to Oakland by HORSE CARS to the University, which run every seven minutes, and to within a quarter mile of the Tract, and shortly will be extended to it. It connects to San Francisco by the BERKELEY FERRY BOAT, which makes eight trips a day, the landing being at the foot of University Avenue, distant one mile and a quarter from the property. Arrangements are in progress for a railroad from the landing to the University, and on its completion the time from San Francisco to this Tract will not exceed one hour. [...] The route of the Central Pacific (Bantas) Overland Railroad passes within a half-mile of this Tract.

Just as important as transportation was the question of the water supply, and here, too, the ad made bold claims:

UNSURPASSED WATER FACILITIES are secured to the Tract; first, by a never-failing stream of flowing water running through the centre of the Property, and second, by the incorporation of the BERKELEY VILLA WATER COMPANY, organized for the purpose of constructing a RESERVOIR of sufficient capacity to furnish any quantity of water that may be required for irrigation as well as home use.

Purchasers of lots at the auction sale were guaranteed a 15% discount off the regular water rate in perpetuity.

Perhaps the most extravagant promise made in the Olney & Middleton auction ad was that 12 blocks, containing 60 acres, would be set aside as a “magnificent park and garden,” and that a “commodious hotel” would be erected “at once.”



Also, articles of incorporation of the Berkeley Villa Land and Water Company—organized for the purpose of supplying water to the residents of the Berkeley Villa Tract and vicinity. Capital, \$500,000, in shares of \$100 each. Directors—Henry B. Berryman, Fred. M. Berryman, J. M. Miner, F. Chappellet and P. Ostrander. The principal place of business will be in San Francisco.... Also, articles of incorporation of the

Figure 44. Incorporation notice in the *Sacramento Daily Union*, 27 October 1875

In August 1877, Berryman bought out Chappellet's interest in the water company<sup>11</sup> and built Berryman Reservoir on Codornices Creek. When the Central Pacific Railroad extended its Berkeley Branch Line from downtown Berkeley to Shattuck and Vine Street, the new train depot became known as Berryman Station. Chappellet, in his turn, took over the sixteen western blocks of the Berkeley Villa Association tract. By the spring of 1877, he had subdivided many of the lots into smaller ones, each a third of the original parcels' size.

In May 1877, Chappellet put 150 lots on the auction block. The announcement of the upcoming sale promised:

The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

The announcement provided the time table of the Berkeley Branch Railroad, with nine daily departures from San Francisco to Berkeley and nine in the opposite direction (Fig. 45).

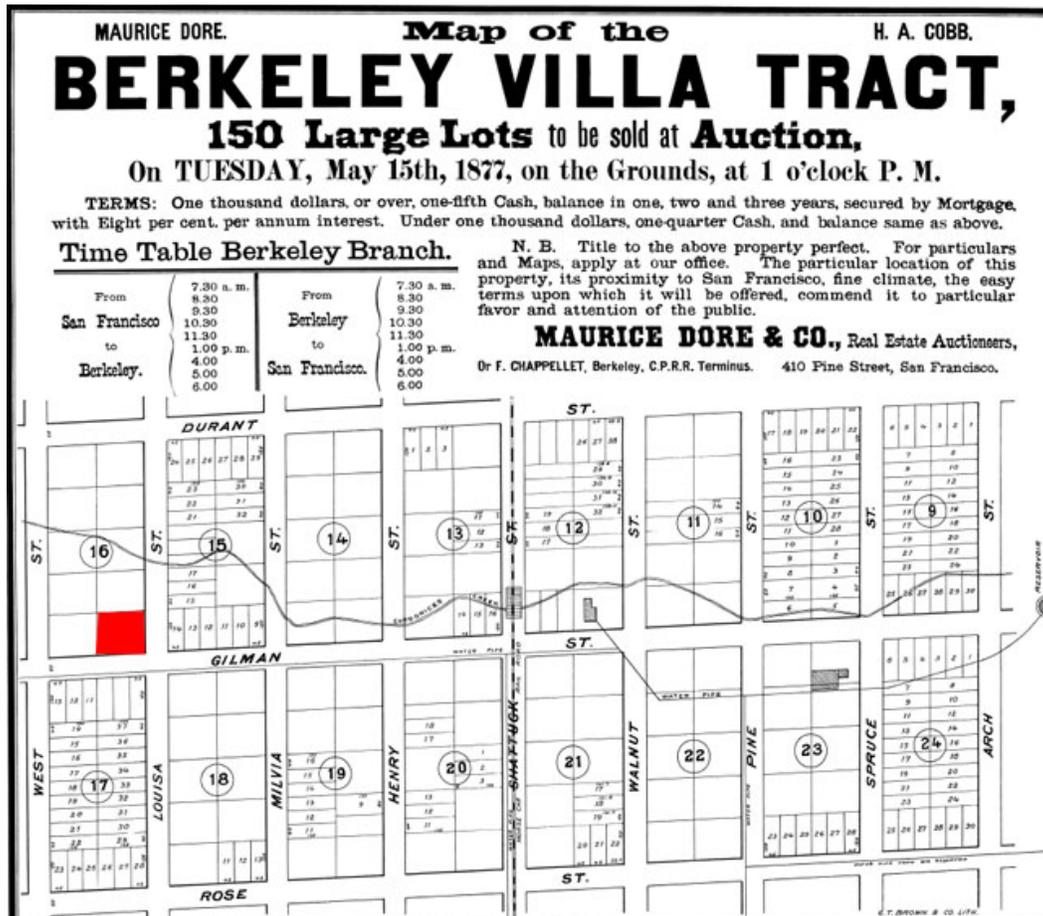


Figure 45. Lot 9 (red), Block 16 in auction announcement, May 1877

<sup>11</sup> William Warren Ferrier. *Berkeley, California: The Story of the Evolution of a Hamlet into a City of Culture and Commerce.* Berkeley: William Warren Ferrier. 1933

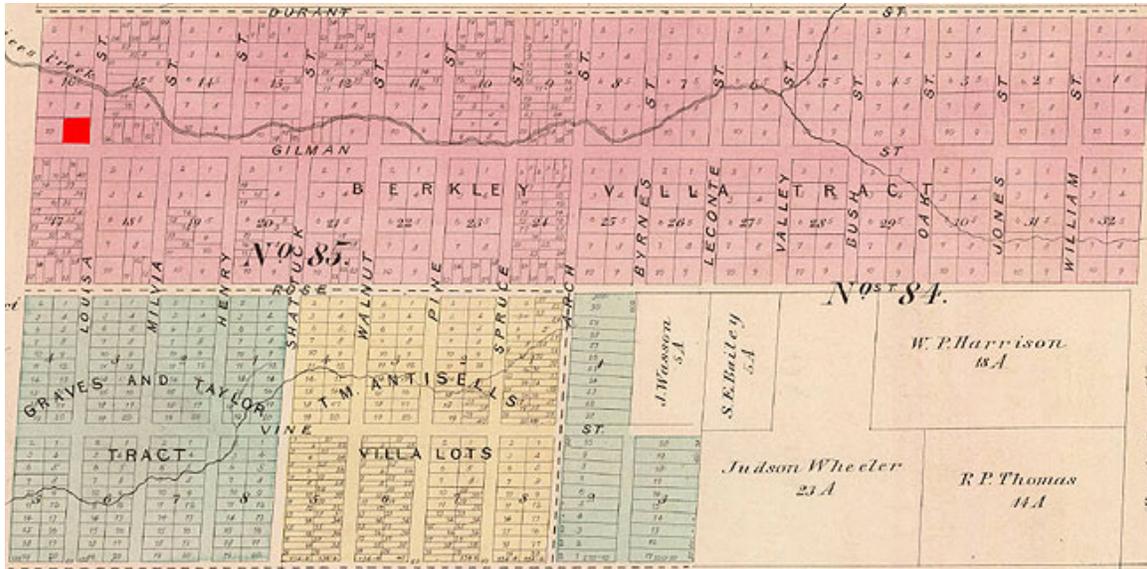


Figure 46. Future Payson parcel (red), Berkeley Villa Association tract  
(Thompson & West Map No. 18, 1878, David Rumsey Map Collection)

### Early settlers in the neighborhood

The blocks situated around the intersection of Berryman Street and Bonita Avenue—originally named Gilman (for U.C. president Daniel Coit Gilman) and Louisa (for Henry Berryman’s wife)—saw their first lot purchases in the latter half of the 1870s, but most of those lots remained vacant, and the area retained its rural character.

The earliest structure, a one-story house, built c. 1878 by the French-born cook James Souffrain and his wife Caroline, stood on the northern bank of Codornices Creek, at 1221 (today’s 1227) Bonita Avenue. That house was replaced in 1916.

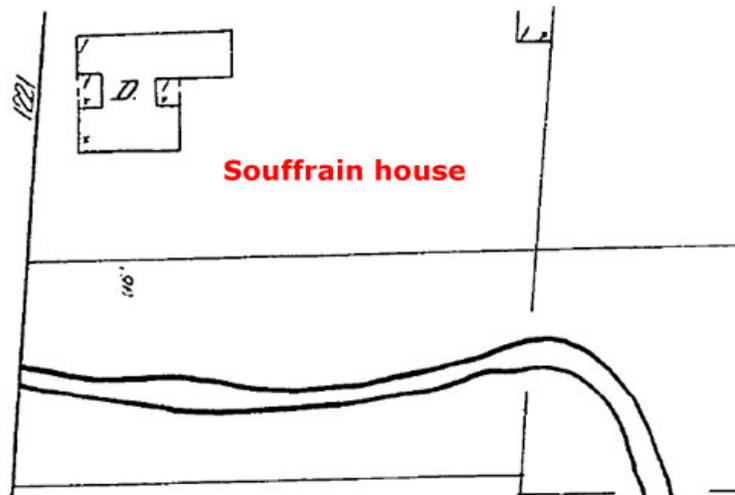


Figure 47. Sanborn map, 1911

As early as 1880, Henry and Louisa Berryman, who owned the entire block south of Berryman Street and west of Bonita Avenue, were assessed \$500 for a structure that stood on a parcel comprising today's 1308 to 1312 Bonita. This structure was joined in 1888 by a larger Berryman-owned house on the southwest corner of Louisa and Gilman streets, later 1304 Bonita Avenue. The corner house was home to Henry Berryman's brother, **Frederick Miles Berryman**, and his wife Susan, who acquired it circa 1900. The house was still standing in the late 1960s, albeit on a much-reduced lot, but has since been demolished and replaced in 1972 with a three-story, 24-unit apartment building.



Figure 48. *Fallen Leaf Lake*, by R.J. Waters, 1886 (University of Nevada, Reno)

In 1881, a third house was built on the southeast corner of Gilman and Louisa (today's 1301 Bonita Avenue). This house was the home of California pioneer George Gilbert Waters who, with his wife Lydia Milner Waters, crossed the Plains to California in 1855.<sup>12</sup>

Lydia died in Monterey in 1881, and George settled in Berkeley.

By 1885, the house belonged to his famous son, **Raper James Waters** (1856–1937), a photographer who established a successful studio in San Francisco and is known for his artistic landscapes (e.g., Lake Tahoe Series); images of gold-mining towns (e.g., Comstock Series);<sup>13</sup> and San Francisco before, during, and after the 1906 Earthquake and Fire. Much of his pre-1906 work perished, but four of his early shots of U.C. Berkeley landmarks survive in the University Archives.<sup>14</sup>

<sup>12</sup> Lydia Milner Waters. "Account of a Trip across the Plains in 1855." *Quarterly of the Society of California Pioneers*, March 1929, pp. 59–79.

<sup>13</sup> Many early photographs by R.J. Waters & Co. are in the Special Collections Department of the University of Nevada, Reno Library.

<sup>14</sup> <https://oac.cdlib.org/findaid/ark:/13030/kt429003bb/dsc/>

The Waters house stood on a very large lot that remained undivided in 1911, as shown in the Sanborn map to the right.

Beginning in 1913, the Waters parcel was subdivided, and houses were built on it, numbered 1301 to 1325 Bonita Avenue. The corner building, an attractive Mediterranean-style fourplex at 1301 Bonita, was constructed in 1922 by investor Gilbert B. Ocheltree, who made his own home in a duplex at 1307-09 Bonita.

In later years, a notable owner of the Ocheltree duplex was famed botanist **Dr. Mary Leolin Bowerman** (1908-2005), co-author of *The Flowering Plants and Ferns of Mount Diablo, California; Their Distribution and Association into Plant Communities*, and co-founder of Save Mount Diablo.



Figure 49. Sanborn map, 1911



Figure 50. Mary Bowerman in her Nash Junior car at the top of Mount Diablo, June 1930  
(courtesy of Save Mount Diablo)

The Sanborn map below shows outlines of the houses that were built between 1880 and 1903 on the blocks directly south of Berryman Street, between Grove (MLK Jr. Way) and Milvia streets. Because the area north of Berryman Street was still sparsely developed, the Sanborn Map Company did not survey it until the 1911 edition.

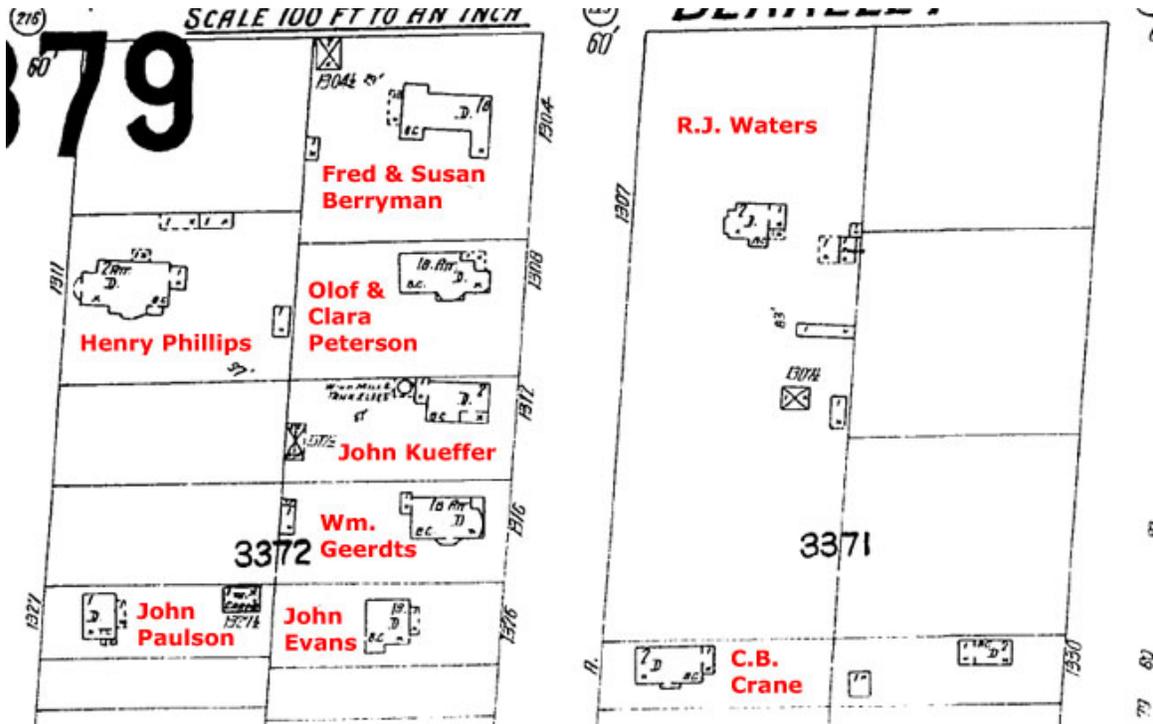


Figure 51. Early houses in Blocks 17 (left) & 18, south of Berryman Street and east of Grove Street (Sanborn map, 1903)

### William H. & Esther L. "Etta" Payson

The Payson House was the fourth dwelling erected in the neighborhood, and the first on its block. Prior to building this house, the Paysons, who married in 1885, resided for two years on Fulton Street, between Dwight and Channing ways.

**William Hawes Payson** (1855–1914) was born in Boston and grew up in Fairmount, a predecessor to Hyde Park, Massachusetts. His father, Jesse Wentworth Payson (1815–1899), was the nation's foremost penmanship expert. At a time when handwriting was the means by which most documents were created, Jesse W. Payson's copybooks were used in schools throughout the United States. Head of the Payson, Dunton & Scribner publishing house and author of *The Payson, Dunton, & Scribner Manual of Penmanship* (still in print today), Jesse Payson was one of Fairmount's 20 founders in 1855. His biography in the *Fairmount Bulletin* recounts:

Jesse W. Payson was born Nov. 6, 1815, in Hope, Me., and died in Hyde Park Sept. 17, 1889. He was educated in the common schools of that town, and in the Waterville Institute. As an author of writing books his name became a household word in this country. He it was who first gave to students a scientific analysis of script writing, and he originated the lithograph copy for common school writing books. From 1861–1877 Mr. Payson was a member of the Faculty at the Polytechnic Institute, Brooklyn, N. Y. As professor of penmanship and bookkeeping he taught thousands of pupils, among them many of the distinguished men of the

country, including President Eliot of Harvard College, and ex-Mayor Seth Low of New York. He was the Secretary and one of the Directors of the Park Bank in Brooklyn for several years. Mr. Payson was the author of a popular series of works on bookkeeping, and was called as an expert to adjust accounts in important cases. Mr. Payson's skill in writing brought him many medals, including one given at the Centennial in Philadelphia. He was a man of generous impulses, and advanced in his christian [sic] views. At the twentieth celebration of Hyde Park anniversary in 1888, he responded to the toast "The Twenty Associates." Mr. Payson's first wife died at Union, Me. His second wife, well known in the world of letters, died in Hyde Park in 1906. He had two children, W. H. Payson, now of San Francisco, and Mrs. Matilda Cushing, a former Fairmount school teacher, who married again, moved to Maine and is now deceased.<sup>15</sup>



Figure 52. Jesse Payson (in "Hyde Park")<sup>16</sup>

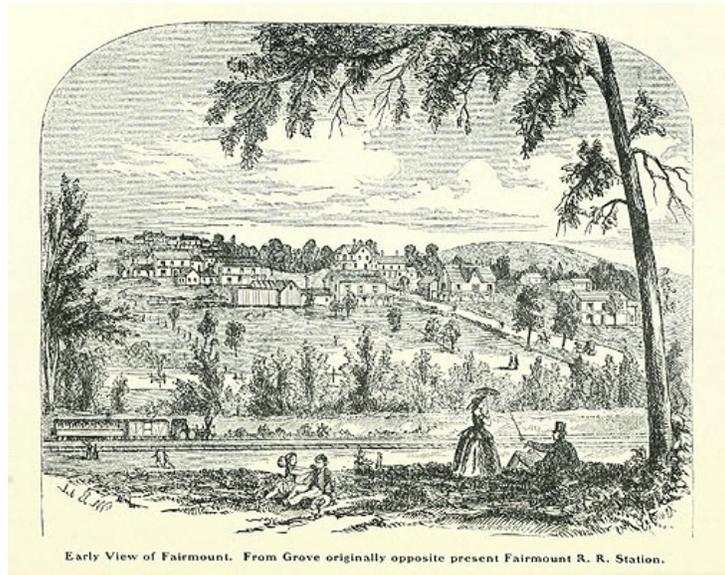


Figure 53. Early view of Fairmount (The Fairmount Bulletin, 1906)

Young William attended the Boston Public Latin School in the class of 1870. He went on to the Brooklyn Collegiate and Technical Institute while his father was teaching there and obtained his B.A. in 1876. Returning to Massachusetts, he enrolled at the Boston University School of Law, receiving his LL.B. degree in 1880. Poor health compelled him to move to California, where he practiced law, co-founded the First Unitarian Church of Berkeley, and fought against corruption in politics. The following obituary and a eulogy by Professor William Carey Jones were published in the *Pacific Unitarian* shortly after Payson's death:

#### **William H. Payson.**

Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of

<sup>15</sup> "Twenty Associates" in *The Fairmount Bulletin*, Vol. II, No. 1, April 1906, p. 12.

<sup>16</sup> Anthony Mitchell Sammarco. *Hyde Park*. Arcadia Publishing, 1996.

the Pacific Coast Conference. He was also a member of the Board of Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.

He was born February 16, 1855, in Boston, his father being the head of the old publishing firm of Payson, Dutton [sic] & Scribner. He obtained his education in Boston, studied law, and was admitted to the Bar in Boston before he came to California.

Owing to ill health and threatened tuberculosis, he was compelled to leave that climate, and came to California in a sailing ship around the Horn, arriving here in 1881. This voyage dissipated the germs of tuberculosis, but he never was a robust man, in fact it is remarkable how much work he was able to accomplish with his weakened constitution. He was married in San Francisco on August 12, 1885, to Ella [sic] L. Tripp, who survives him.

He was deeply interested in all public matters, always as a reformer, and social problems always had his best thought. He was a quiet, persistent worker, always contending for right, truth and justice, and he abhorred fraud, oppression and wrong, but he never was bitter, nor did he ever create any antagonism, but as was said by Frank J. Heney,<sup>17</sup> in a letter just received by Mrs. Payson, "he was a gentle but courageous soul."

His death was wholly unexpected and preceded by no illness that kept him from his work. The end came without warning from heart failure, on the morning of September 5th.

The funeral service from the church at Berkeley was particularly impressive and tender. It was conducted by the minister, Rev. Arthur Maxson Smith. Rev. F. L. Hosmer spoke with tender feeling, voicing his respect and debt of gratitude, and Professor William Carey Jones, a long-time friend and co-worker, paid this well-merited tribute to his worth and character.

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"William H. Payson, good lawyer, good citizen, good church member, good friend, good man, was directed in all the relations of life by the spirit of righteousness. An able and successful lawyer, he was well grounded in the principles of human right, and pursued his calling to the end of attaining justice and never more than justice. Litigiousness was ever far from his field of thought. A satisfactory, permanent and human adjustment of conflicting claims was always his aim. His fine soul abhorred vice and wrongdoing, but his generous spirit was tolerant of the shortcomings of his fellow men.

"He was an active participant in the Commonwealth Club of California, of the City Club of Berkeley, of the Unitarian Club of California, and of the Berkeley Unitarian Club. He was zealously concerned in all the broader civic purposes fostered by these organizations. The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated. A more congenial sphere, it seems to me, however, was within the field of politics. He did not wait for the presence of the spiritual movement manifest in the present century, which is bringing about a nobler view of political obligation. His work, his constant, though unobtrusive endeavor during thirty years, was with and of those who have produced the

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<sup>17</sup> Francis J. Heney was the District Attorney who prosecuted corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef following the 1906 Earthquake and Fire.

conditions resulting in the purer political atmosphere of today. The wisdom of his counsel and the safety of his leadership were apparent on all occasions.

“His energetic promotion of the League of Justice and his high position therein, contributed to the sounder morals of civic, political and business consciousness in the State of California. Herein Mr. Payson’s singleness of aim, high-mindedness, humaneness and generosity, were most abundantly exemplified. Among the many who joined that crusade, some became self-seekers, some were drained dry of the milk of human kindness, some became embittered, envious, vindictive, venomous. But never for a moment did he lose his high ideals, and while seeking to encompass the great purpose of the crusade looked with pity or sympathy upon his less sincere and noble fellow men.

“He was one of the founders of the First Unitarian Church of Berkeley, and during many years was a trustee thereof—being frequently the President of the Board. Eminently practical in all his counsels for the development of our society, there was a piety and a religiousness of spirit that animated all his work. He was the wise adviser in the progress of the church from its first beginnings in the room underneath Odd Fellows Hall on Addison Street, to its temporary lodgment in Stiles Hall, and its final settlement in its present house of worship. He has been President of Unity Hall Association, and has been one of the leading agents in enlarging the scope of the church’s work through the acquisition of the Unity Hall property. His promotion of the objects of the Unitarian Clubs in San Francisco and Berkeley have been inspired partly by his interest in civic improvement and partly by his earnest intent to advance a simple and sincere religious tone through the community. His fostering of the Unitarian School for the Ministry, and his participation in both local and national conferences of the Unitarian fellowship speak for his devotion to the general cause of liberal Christianity.

“As friend and man, his sympathies and relations were no different from what they were in various social groups. In the closest intimacies of friendship; in the church board meetings; in the congregation, whether in business or social gathering, or on formal occasions; in club meetings, civic, political, religious, he was always just the same simple, upright soul. There were with him never two ways of looking at conduct—a social and a personal. His was always the conduct of man to man.

“Good friend, noble man—your memory shall linger with us as an inspiration and a benediction.”<sup>18</sup>

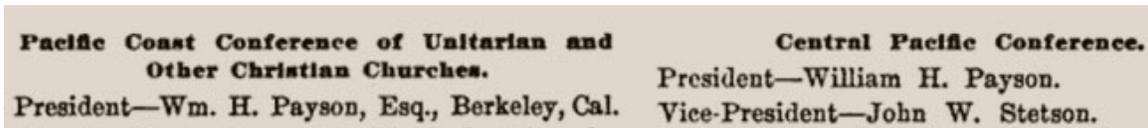


Figure 54. *The Pacific Unitarian*, October 1907

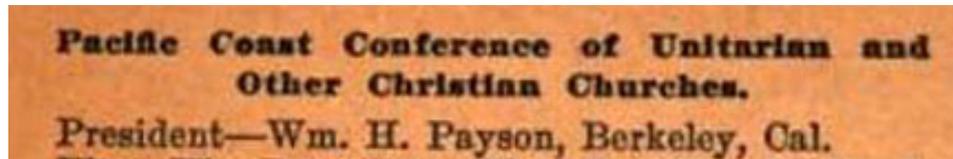


Figure 55. *The Pacific Unitarian*, October 1910

<sup>18</sup> *The Pacific Unitarian*, Vol. XXII, No. 12, October 1914, pp. 320–321.  
<https://archive.org/details/pacificunitarian2219131914willb/page/n369/mode/2up>



Figure 56. Isaac Tripp (courtesy of Bob Waldman)<sup>19</sup>



Figure 57. Etta Tripp (Rieman & Co., San Francisco)<sup>20</sup>

**Esther L. "Etta" Tripp** (1863–1947), the daughter of California pioneers, was born on a farm in Butte City, near Jackson, Amador County. Her father, Isaac Tripp (1829–1870), was a founding member of the Amador Agricultural Society and an award-winning fruit grower. At the first Amador County Fair, held in October 1862, Isaac Tripp exhibited the following varieties:

Grapes—Black Hamburg, Black Morocco (very large), White Muscat of Alexandria  
Apples—Baldwin, King, Pelton Smith cider; Roxbury russet, Rambo, twenty ounce  
Pears—Bartlett, Winter Nellis, Stevens' Genessee  
Quince—Orange  
Blackberry wine; elderberry wine.<sup>21</sup>

At the second annual fair, it was reported,

The largest number and variety was the contribution of Isaac Tripp, consisting of no less than thirteen varieties of apples, five of pears, eighteen of grapes (as fine as any we have ever seen) and some fine quinces. [...]

Mr. Tripp also contributed specimens of blackberry wine and grape wine, which our taster pronounced unexceptionable, even to a Templar, being the "pure juice" unadulterated — such as "maketh the heart glad."<sup>22</sup>

<sup>19</sup> <https://www.findagrave.com/memorial/21719868/>

<sup>20</sup> <https://www.ancestry.com/family-tree/person/tree/71374321/person/350146103944>

<sup>21</sup> "Amador Agricultural Fair." *Sacramento Daily Union*, 14 October 1862, page. 1.

<sup>22</sup> *California Farmer and Journal of Useful Sciences*, 2 October 1863.

Isaac Tripp died prematurely while working his mining claim. On 28 May 1870, the *Jackson Ledger* reported:

On Friday, the 20th inst., our citizens were shocked to hear that Isaac Tripp, one of our most estimable citizens, had been killed. He was mining in the Butte Basin, and while working under a bank with a hydraulic pipe a large mass of earth became detached, and without a moment's warning, fell, burying him under it. The only person near him was a Chinaman, who immediately gave the alarm, when parties went to his relief, and arriving at the spot could see nothing but a mass of earth. The hydraulic pipe was immediately turned on, and in about ten minutes his lifeless remains were unearthed. The Chinaman, being a few feet below him at the time, escaped uninjured, though the dirt came around him pretty thick.

Isaac's widow, Irene (Park) Tripp, remarried in January 1875, when Etta was twelve years old. The new husband, a pioneer Siskiyou County farmer named Edward White Conner, was a widower with five sons aged six to 16. Irene brought her youngest child, Helen, to her new home, where both were enumerated in the 1880 U.S. Census. The other Tripp children appear to have been scattered. Etta was informally adopted by Judge Harmon J. Tilden (1824–1916) and his wife, Mary Jane (1830–1911), of San Francisco. The 1880 U.S. Census enumerated Etta as an adopted daughter of the Tildens, residing with them at 1132 Valencia Street, along with the Tildens' son, Charles Lee Tilden (1857–1950), who would become first president of the East Bay Regional Park District. It is not clear whether there was a blood connection between the Tripps and the Tildens, but Etta's older brother's middle name was Tilden.

William Payson and Etta Tripp were married on 12 August 1885 and built their house in 1889. The contracting firm was Lord & Boynton, one of Berkeley's most prominent at the time. During the same year, Lord & Boynton built the Peralta Park Hotel for famed actor Maurice B. Curtis, as well as Curtis's own home and other prestigious projects.<sup>23</sup>

On 12 July 1891, two years after moving into the new house, William Payson co-founded the First Unitarian Church of Berkeley. Two weeks later, when the church's first board of trustees was elected, Payson was voted in as the first secretary.

Another member of that first board of trustees was Prof. Henry Senger, for whom another noted Unitarian, Bernard Maybeck, would design a house in 1907.

Bernard and Annie Maybeck soon followed the Paysons to their remote neighborhood.<sup>24</sup> In April 1892, the Maybecks were reported to be building a cottage on the corner of Gilman and West streets (now Berryman and Martin Luther King, Jr., Way).<sup>25</sup> The Maybeck house, which Charles Keeler described as "a distinctly hand-made home," must have made an impression on the neighbors and influenced them to shingle the exteriors of their own homes.

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<sup>23</sup> Daniella Thompson. "Peralta Park Grew in the Shade of Giants." 2006.  
[http://berkeleyheritage.com/eastbay\\_then-now/peralta\\_park1.html](http://berkeleyheritage.com/eastbay_then-now/peralta_park1.html)

<sup>24</sup> Daniella Thompson. "Maybeck's First House Was a Design Laboratory." 2007.  
[http://berkeleyheritage.com/berkeley\\_landmarks/maybeck\\_on\\_grove.html](http://berkeleyheritage.com/berkeley_landmarks/maybeck_on_grove.html)

<sup>25</sup> *Berkeley Daily Advocate*, 28 April 1892.

Like the Paysons, the Maybecks were the only residents on their block for a number of years.



Figure 58. Bernard & Annie Maybeck House in 1902  
(Dimitri Shipounoff collection, BAHA archives)

In January 1894, the *San Francisco Morning Call* reported that the trustees of the First Unitarian Church were about to “raise funds for the erection of a new church edifice by the issue of bonds at a low rate of interest.”

A short time ago a fine lot, 150 by 170 feet on the corner of Bancroft way and Dana street was purchased. It is on this site that the new church edifice will be erected. It will be of stone and as fine in its way as the Unitarian Church of Oakland. The cost will not be less than \$20,000. Architect Maybeck is now at work on plans and designs for the new church, and they will be considered by the trustees in the immediate future.<sup>26</sup>



Figure 59. First Unitarian Church (A.C. Schweinfurth, architect, 1898)

<sup>26</sup> “A New Church.” *The San Francisco Morning Call*, 29 January 1894, page 3.

The \$20,000 was never raised, and Maybeck's plans were not executed. When the new church, designed by Albert Cicero Schweinfurth, was finally built in 1898, the estimated cost was reported to be a modest \$3,695.<sup>27</sup>

William Payson fostered the Pacific Unitarian School for the Ministry (later renamed Starr King School for the Ministry), founded in 1906, and acted as trustee on the school's first board.<sup>28</sup>

In addition to his leadership of numerous Unitarian organizations and endeavors, William Payson was a tireless political reformer, fighting for fair voter representation<sup>29</sup> and active in the anti-graft movement that led to the prosecution of corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef.<sup>30</sup> Francis J. Heney, who prosecuted Schmitz and Ruef for bribery, called Payson "a gentle but courageous soul."<sup>31</sup>

In about 1892 or '93, Etta's mother, Irene A. Conner (1831–19??), and the latter's youngest daughter, Helen S. Tripp (1870–1903), arrived in Berkeley. Helen was assessed in 1893 on a cottage adjacent to the Payson House. The shingled one-story cottage still stands at 1234 Bonita Avenue. Irene and Helen were first listed in the Berkeley directory in 1894. The 1900 U.S. Census enumerated them as residing in the Payson household.

Helen Tripp, who worked as a stenographer, died on 26 March 1903 in a homeopathic sanatorium. The cause of death was acute nephritis, brought about by diabetes mellitus. A few weeks before her death, Helen's cottage was sold to Ernestine Wollenberg, daughter of San Francisco merchant Louis Wollenberg and his wife Fanny. The Wollenbergs brought their five children to Berkeley so that they could be educated here. The family lived at 1234 Bonita Avenue until 1912.

Louis Wollenberg (1841–1910) is best known today as the great-grandfather of Berkeley historian Charles Wollenberg, who recounted an oft-heard story in a recent e-mail:

I believe the Maybecks lived around the corner, and they became friendly with my great grandfather. Bernard Maybeck apparently helped him do some carpentry on the cottage. My great-grandfather had immigrated from Germany in the late 1850s and, during the next 40 years or so, failed in several business ventures in the West. But he had a reputation for telling good stories of his real or imagined western adventures to the neighborhood kids. There's a legend in both the Maybeck and Wollenberg families that when their son was born, Annie and Bernard refused to name him, allowing him to choose his own name when he was 6 or 7. When the time came, "Boy" Maybeck said he'd like to be named Wollenberg, after the old man who told such neat stories. This was a bit too much for his parents, but they compromised and agreed to the name Wallen. I guess the fact that the story is told in both families gives it some credibility.<sup>32</sup>

<sup>27</sup> *The San Francisco Call*, 27 May 1898, page 9.

<sup>28</sup> "Berkeley to Have School for Unitarian Ministry." *The San Francisco Call*, 13 May 1906, page 12.

<sup>29</sup> "Citizens Denounce Courthouse Ring." *The San Francisco Call*, 18 July 1908, page 5.

<sup>30</sup> "Flays Nieto for Shielding Ruef." *The San Francisco Call*, 2 February 1908, page 32.

<sup>31</sup> In a condolence letter to Etta Payson, quoted in Payson's obituary published by *The Pacific Unitarian*.

<sup>32</sup> Charles Wollenberg in an e-mail sent to the recorder on 19 May 2020.



Figure 60, Tripp-Wollenberg cottage, 1234 Bonita Avenue (Google Street View)

In 1904, there was no listing for the Paysons in the Berkeley directory. Instead, the occupants of 1915 Berryman Street were Ross Morgan (1867–1917), a civil engineer, and his wife, the artist Charlotte Elizabeth Bodwell Morgan (1867–1947), a noteworthy member of the Carmel and Berkeley art colonies.<sup>33</sup>



Figure 61. Carmel Mission by Charlotte Morgan (Bodega Bay Heritage Gallery)

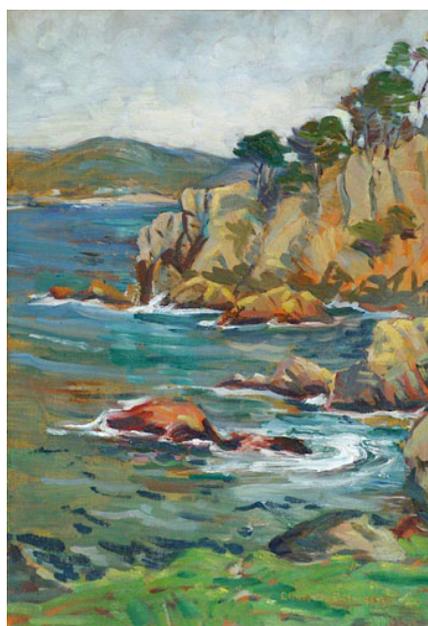


Figure 62. Carmel Coast by Charlotte Morgan (Bodega Bay Heritage Gallery)

<sup>33</sup> Charlotte Morgan's biography was published in *Jennie V. Cannon: The Untold History of the Carmel and Berkeley Art Colonies, Vol. 1* by Robert W. Edwards (Oakland: East Bay Heritage Project, 2012). <http://www.tfaoi.com/cm/10cm/10cm111.pdf>

William Payson died on 5 September 1914, aged 59. After his death, Etta went to live with the misses Katherine and Bertha Brehm in their house at 2709 Benvenue Avenue. Bertha Brehm, a music teacher, was the Unitarian Church's first organist.



*Figure 63. The organ at First Unitarian Church (BAHA archives)*

By 1920, Etta Payson had moved again. She was now living with the Charles Lee Tilden family in their villa at 1031 San Antonio Avenue, Alameda. Later in that decade, she settled in Alaska, where her elder brother, Herman Tilden Tripp (1859–1939), a mining engineer and politician, had been living since 1898. Following Herman's death, Etta returned to Berkeley, where she spent her last years in an apartment at 2649 Benvenue Avenue.

### **Neighborhood growth**

As late as 1906, the Paysons and the Wollenbergs were the only residents on Block 2449. Limited public transportation to the area delayed development of northwest Berkeley.

In 1899, William J. Dingee's Map of Oakland and Vicinity (Fig. 64), which showed real estate and electric railways of the Realty Syndicate, revealed a single train track on Shattuck Avenue that terminated at Rose Street.

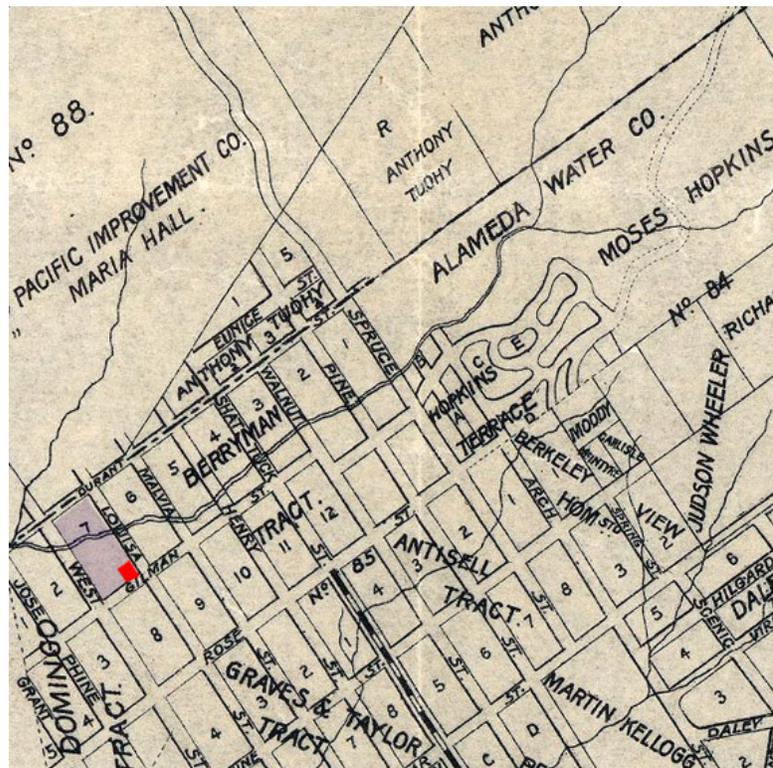


Figure 64. Dingee's Map of Oakland & Vicinity, 1899<sup>34</sup>

It wasn't until 1903, when the Key System of electric streetcars was introduced in Berkeley, that building in the Berkeley Villa Association tract gained momentum. Mass migration of San Franciscans to the East Bay in the wake of the 1906 Earthquake and Fire accelerated building activities, as Berkeley's population tripled from 13,214 in 1900 to 40,434 in 1910.



Figure 65. Kelly Flats (c. 1904), 1939-45 Berryman Street at Milvia

<sup>34</sup> David Rumsey Map Collection.

In January 1912, the opening of the Northbrae Tunnel for service enabled Southern Pacific electric trains to run north beyond Rose Street, providing an additional transport option for the growing suburban districts.

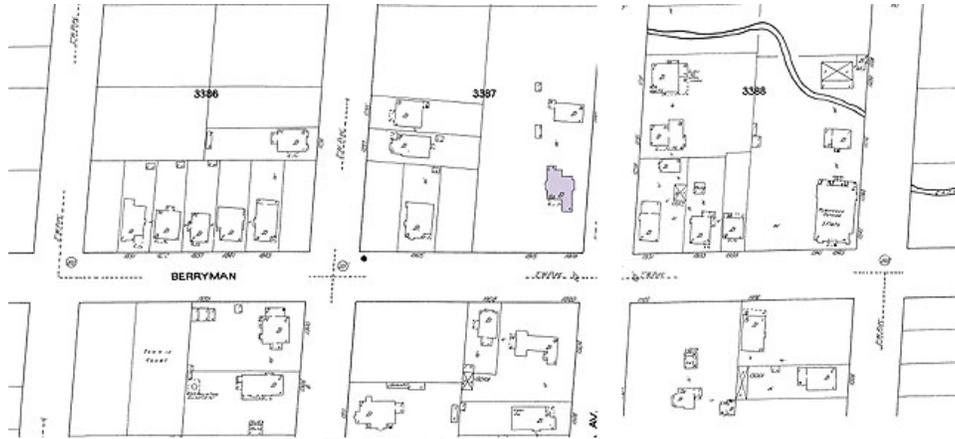


Figure 66. The neighborhood in 1911 (Sanborn map)

A real-estate map published by Lederer, Street & Zeus in 1914 (Fig. 67) shows three commuter transport lines in the vicinity of the Payson House.

The orange line running along Sacramento and Hopkins streets represented the Key Route's commuter line; The red line running on Grove Street and The Alameda stood for the local streetcar lines that crisscrossed Berkeley; and the green line, which ran on Shattuck Avenue, Sutter Street, and through the Northbrae Tunnel, represented the Southern Pacific Railway.

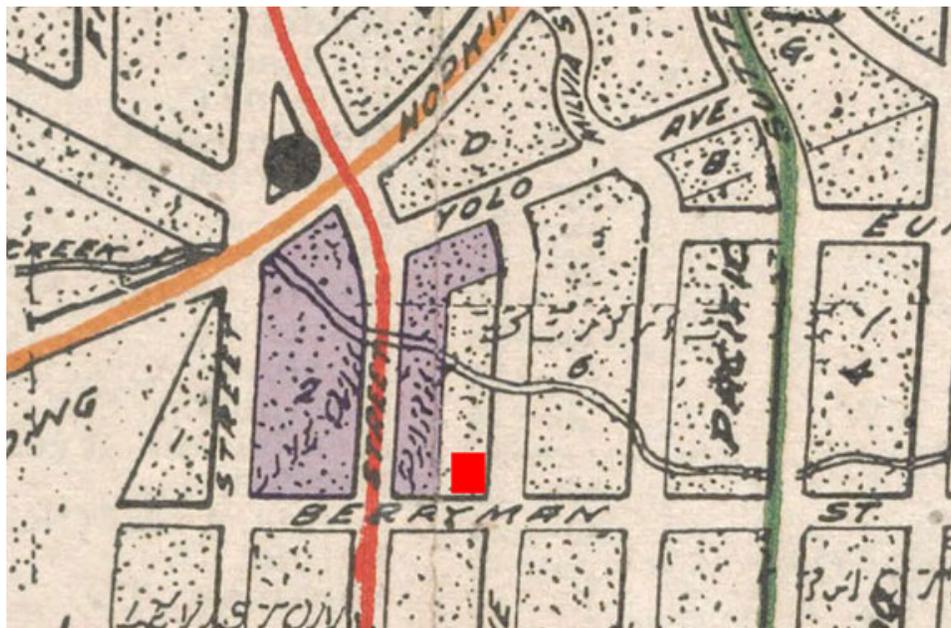


Figure 67. Public transport lines and proposed Live Oak Park site near the Payson House  
(Lederer, Street & Zeus Map of Berkeley & Vicinity, 1914)

An interesting detail in the Lederer, Street & Zeus map is the siting of the proposed Live Oak Park directly to the west of the Payson House,<sup>35</sup> or three blocks away from where the park would actually be established after the city purchased the O'Toole and Penniman estates in 1914.<sup>36</sup>

The 1920s saw the neighborhood become almost fully built up. The 1929 Sanborn map shows mostly single-family residences but also half a dozen flats, the largest of which remained the Catherine & Francisco Kelly Flats, a Mission Revival structure, built c. 1904 on the northwest corner of Berryman and Milvia streets (Fig. 65).



Figure 68. The area in 1929 (Sanborn map)

### Lord & Boynton, builders of the Payson House

The construction firm of Lord & Boynton was short-lived, but it managed to make a deep impact during its brief existence. This company was created when two pioneer Berkeley builders—both civic leaders—came together to undertake a gigantic number of projects that no single contractor could have handled.

**Carlos Reuben Lord** (1831–1914) was born in Aurora, Ohio, where his parents had come from New England. His father was a well-to-do farmer, but by the age of 18, Carlos was no longer living at home, possibly because there were six younger siblings in the house. The 1850 U.S. Census enumerated him as having attended school within that year and residing with an Aurora farming couple in their early twenties.

In 1854, Carlos Lord married Lucia Almira Stocking (1832–1928). By 1860, the couple had moved to Jefferson, Missouri, where Carlos was listed as a wagon

<sup>35</sup> The park plan shown in the map included Block 2 in the adjacent Jose Domingo Tract.

<sup>36</sup> Susan Schwartz. A History of Berkeley's Live Oak Park. 2014. <http://www.bpfp.org/wp-content/uploads/LiveOakPark.pdf>

maker. The Lords now had a son, 4, and a daughter, 2. In 1870, now living in Cameron, Missouri, Carlos worked as a clerk in a store and was a father to five children aged 2 to 14.

Carlos Lord was first registered to vote in Berkeley on 18 February 1878. That year, he was listed in the Berkeley city directory as Charles R. Lord, carpenter, resident on the north side of Vine Street, between Spruce and Pine (now Oxford) streets.

The following sketch of Lord's life was published in the *San Francisco Morning Call* in November 1894. Running for the office of Justice of the Peace in Berkeley Lord was nominated by the Alameda County Non-Partisan Convention, whose candidates the newspaper called "a splendid list," "good men all," and "animated by unselfish sentiments."<sup>37</sup>

**C. R. LORD.**

**A Citizen of Berkeley Who Commands Confidence.**

C. R. Lord, past commander of Lookout Mountain Post, G. A. R. of Berkeley, was born in Ohio, December 12, 1831, and was educated in the public schools of that place. At the call of President Lincoln he enlisted in the First Missouri Cavalry, U. S. A., and served about two years and was honorably discharged for disability. After the war he was appointed Postmaster under President Lincoln. He was elected Justice of the Peace at Alta Vista, Davis County, Mo. He came to California in 1874, remained in San Francisco for three years, and came to Berkeley in 1877, one year before Berkeley was incorporated, having resided there since. He has served the town as Justice of the Peace six years, as Marshal and Tax Collector, ex-officio Superintendent of streets, two years, as Trustee three years, and at this time is the nominee of the Non-Partisan convention of Alameda County for the office of Justice of the Peace for the town of Berkeley.



Figure 69. Carlos Reuben Lord  
(*SF Morning Call*, 5 Nov. 1894)

Carlos Lord became involved with the nationally famous stage actor Maurice B. Curtis ("Sam'l of Posen") when the latter was beginning to develop the Peralta Park tract. In May 1888, Lord was named one of the directors of the just-incorporated Peralta Park Hotel Company.

The Peralta Park Hotel Company has incorporated to purchase an eligible site in Peralta Park tract in Oakland township, near Berkeley, and to erect and maintain a hotel to be known as the Hotel de Peralta, and also to deal in property connected with the enterprise. The Directors are: M. B. Curtis, A. P. Gunn, C. R. Lord, A. H. Emery, C. A. Goodwin. The

<sup>37</sup> "Good Men All." *The San Francisco Morning Call*, 5 November 1894, page 4.

capital stock subscribed is \$37,775. There are sixty-nine subscribers to the enterprise.<sup>38</sup>

In July 1888, Lord was awarded the hotel's construction contract:

The contract has been signed by C. R. Lord and the Peralta Park Hotel Company for the construction of the hotel. Mr. Lord will commence work at once, and hopes to have the building completed by January 1, 1889.<sup>39</sup>

It was in the latter half of 1888 that Carlos Lord and Ira Boynton joined forces to construct an impressive number of large projects that included not only the hotel but several large residences in Peralta Park, various houses in other parts of town, and buildings for the town's two lumber mills. In early December of 1888, the *Berkeley Herald* announced:

Mssrs. Lord & Boynton have their hands full. They have commenced the erection of a ten-room house in Peralta Park for Alfred Lueders of San Francisco. It will cost \$4,500. For Joseph Hume also they will build a \$2,500 dwelling on Dwight Way.<sup>40</sup>

**Ira Alton Boynton** (1844–1921) was born in Jefferson, Maine to Amos and Rachel (Decker) Boynton. His father was a Baptist clergyman. In 1868, Ira married Canadian-born Margaret Salmon Fielding in Chelsea, Massachusetts. Their first child, Emma, was born in Illinois the following year.

According to his obituary in the *Berkeley Daily Gazette*, Ira Boynton came to Berkeley in 1877, but records show that he was already in Alameda County on 5 April 1875, when his second child, Laura, was born. In 1876, he was registered to vote in Alameda County's Fourth Ward, listed as a draughtsman. In 1878, he was listed in the Berkeley city directory as a carpenter living on Berkeley Way near Shattuck Avenue. By the following year, the Boyntons had moved to a new home, situated one block north, at 2032 College Way (now Hearst Avenue). Here they lived until 1895.

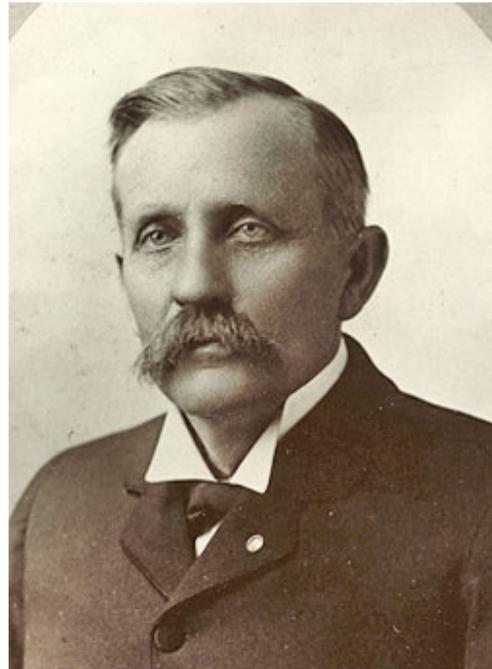


Figure 70. Ira A. Boynton

Like Carlos Lord, Ira Boynton was active in Berkeley's finance, municipal politics, and fraternal circles. In 1886, along with several other leading Berkeley businessmen, Lord and Boynton founded a bank.

<sup>38</sup> *Daily Alta California*, 21 May 1888, page 5.

<sup>39</sup> *Daily Alta California*, 23 July 1888, page 5.

<sup>40</sup> *Berkeley Herald*, 6 December 1888.

The Homestead Loan Association of Berkeley has filed articles of incorporation with the County Clerk. The Directors are C. R. Lord, John K. Stewart, Philip Monroe, Walter E. Sell, Otto Nichaws [Niehaus], M. M. Rhorer, George A. Embury, Ira A. Boynton and Clarence M. Hunt — all of Berkeley—and the capital stock is \$1,000,000, divided into 5,000 shares, of which 100 have been subscribed.<sup>41</sup>

Boynton also served as an elected official. In 1879, he was listed in the city directory as one of Berkeley's two Justices of the Peace. He ran again in 1886, but this time he fell short by two votes after a recount.

A. H. Morris, candidate of the Peoples' party for the office of Justice of the Peace of Berkeley, was dissatisfied at the announced result of the recent election, which gave the office to his opponent, Ira A. Boynton, by a majority of seven votes. Morris appealed to the Town Trustees, who sat as a Returning Board Wednesday evening and recounted the ballots, a privilege accorded by a section of the town charter. President Henley and Trustees Shattuck and Whitney were present. The result was that four votes were changed to Morris' account from Boynton's, thus giving Morris the office by a majority of two votes. Boynton was the candidate of the Citizens' Reform party.<sup>42</sup>

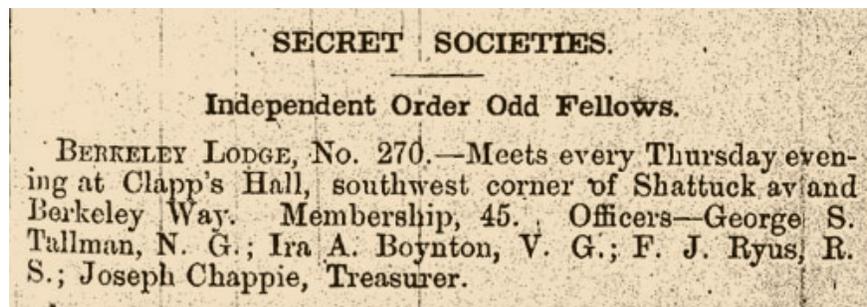


Figure 71. Bishop's Berkeley Directory, 1879-80

Boynton was a charter member of the Independent Order of Odd Fellows, Berkeley Lodge, No. 270 and also served as Chief Patriarch of the Oakland Encampment, No. 64 in the mid-1880s.<sup>43</sup> Members of the Berkeley Lodge met weekly at Clapp Hall, located around the corner from the Boynton residence. In 1884, the chapter incorporated a hall association in order to raise funds for a building of its own. Boynton was one of the five directors.

Articles of incorporation of the Berkeley Odd Fellows' Hall Association have been filed with the County Clerk. The capital stock is \$10,000. divided into 10,000 shares of \$1 each. The Directors are Frederick M. Husted, Walter Powell, Thomas Hann, Ira A. Boynton and Philip Sheridan, all of Berkeley.<sup>44</sup>

<sup>41</sup> *Daily Alta California*, 3 March 1866, page 5.

<sup>42</sup> *Daily Alta California*, 15 May 1886, page 4.

<sup>43</sup> *Daily Alta California*, 26 July 1885, page 2.

<sup>44</sup> *Daily Alta California*, 16 April 1884, page 4.

By 1885, the Berkeley chapter of the I.O.O.F. had erected its new building on the southeast corner of Shattuck Avenue and Addison Street, across the street from Berkeley Station. Other fraternal societies, including the Free Masons, the American Legion, and the Grand Army of the Republic, also met at the Odd Fellows' Hall, as did the First Unitarian Church in its early days.



Figure 72. Odd Fellows' Hall (1885), Shattuck Avenue & Addison Street

Although he was a prolific builder, no records of Ira Boynton's building activities prior to 1884 have been found. In his obituary,<sup>45</sup> for which information was furnished by his daughter, Laura Durgin, it was claimed that Boynton had been associated with A.H. Broad. An oral history conducted by BAHA staff in the 1970s with Boynton's granddaughter, Muriel Durgin Backman, points out his association with Horace Kidder. Neither claim appears to have been documented in print during Boynton's life. The earliest contemporaneous records found of his work date from May 1884. These show a house for his neighbor S.C. Clark (presumably on Berkeley Way); another for Boynton himself; and a third for Professor Eugene W. Hilgard at the latter's agricultural experiment station in Mission San José (now Fremont).<sup>46</sup>

Boynton's name began appearing more regularly in contract and completion notices after he teamed up with Carlos R. Lord in 1888.

By the end of 1889, Lord & Boynton could boast a long list of prestigious Berkeley projects completed that year. Published on 2 January 1890 in the *Berkeley Herald*, the list was peppered with top-drawer clients and included the construction of the Peralta Park Hotel at a cost of \$85,000.

<sup>45</sup> "Berkeley Pioneer Dies in Seattle." *Berkeley Daily Gazette*, 4 January 1921.

<sup>46</sup> *California Architect & Building News*, May 1884, page 91.



Figure 73. Peralta Park Hotel (Cheney Photo Advertising Agency)

**LORD & BOYNTON, BUILDERS**

Niehaus Bros. & Co. Mill, West Berkeley	15,000
Geo. C. Pape Mill, East Berkeley	2,500
Mrs. R. G. Lewis, Peralta Park, 8-room house	4,000
M. B. Curtis, Peralta Park, 8-room house and improvements	4,500
Dr. Robert Macbeth, Peralta Park, 10-room house and improvements	6,900
Harry S. Thompson, Peralta Park, 9-room house and improvements	3,000
J. A. Luders [sic], Peralta Park, 10-room house and improvements	4,900
Miss Anita Fallon, Peralta Park, 7-room house and improvements	4,000
Jos. Hume, 5-room cottage, Fulton and Channing way	1,800
Jos. Hume, 2-story house, Haste street	2,300
Jos. Hume, Dwight way, 9 rooms	3,200
Jos. Hume, Walnut street, 5 rooms	2,000
N. S. Trowbridge, Durant avenue	3,300
W. A. Ristenpart, Bancroft way, 7 rooms	3,000
T. M. [sic] Luttrell, Channing way, 7 rooms	2,150
<b>L. H. [sic] Payson, Gilman street, 6 rooms</b>	<b>2,000</b>
W. T. Lingard, Walnut street, 5 rooms	1,800
J. L. Barker, Cedar street, 7 rooms	2,100
L. Gottshall, Center street, 2 stores, 8 rooms	4,000
Daniel McMahan, University avenue, 7 rooms, barn and improvements	3,400
Geo. C. Pape, University avenue, 8 rooms	4,000
Lord & Boynton, Berkeley way, 8 rooms	2,800
Fritz Meyer, Seventh and Bancroft way, 5 rooms	1,500
Chris Johnson, Fourth and Addison, 4 rooms	1,000
Dr. Cook, Peralta Park improvements	3,600
I. A. Boynton, College way, 6 rooms	2,000
H. W. Taylor, lumber yard office	500

Mrs DeLorme's improvements to house  
Peralta Park Hotel

500  
85,000

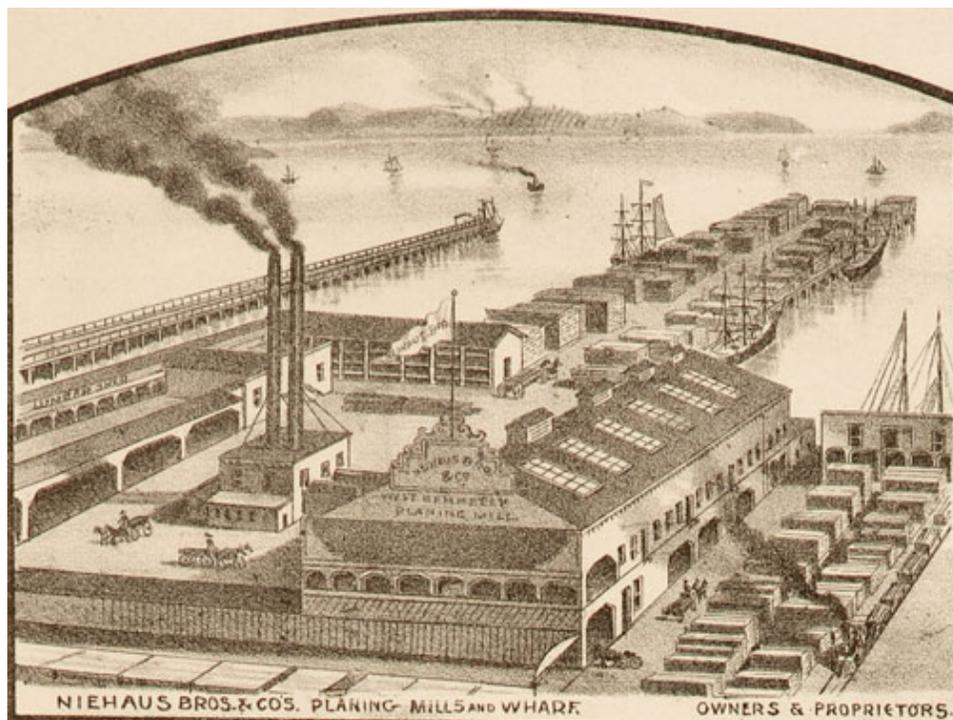


Figure 74. Niehaus Bros.' West Berkeley Planing Mill  
(Irwin & Johnson's *Birdseye View of Berkeley, California*, 1891)<sup>47</sup>

Despite their joint success, the Lord & Boynton partnership was short-lived. In 1890, the partners went their separate ways. That year, *Edwards Transcript of Records* published four projects carried out by Boynton without Lord.

Of the houses Lord & Boynton built together, only five, including the Payson House, are known to have survived. The other four are the Julius Alfred Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; the Harry S. Thompson House, 1491 Hopkins Street; and the James & Cecilia Luttrell House, 2328 Channing Way. No two of these surviving houses are alike.

### **Later owners of the Payson House**

#### **Kimball G. Easton & Katherine O. Easton**

In 1919, Etta Payson sold the house to Kimball Gushee Easton (1865–1925) and his wife, Katherine Olden Easton (1863–1940). The Eastons and their daughter, Esther Katherine, then a student at the University of California, were listed in the 1922 directory as residing at 1915 Berryman Street.

<sup>47</sup> Edwin S. Moore, publisher. Bancroft Library.  
<https://oac.cdlib.org/ark:/13030/tf9t1nc0rn/?brand=oac4>

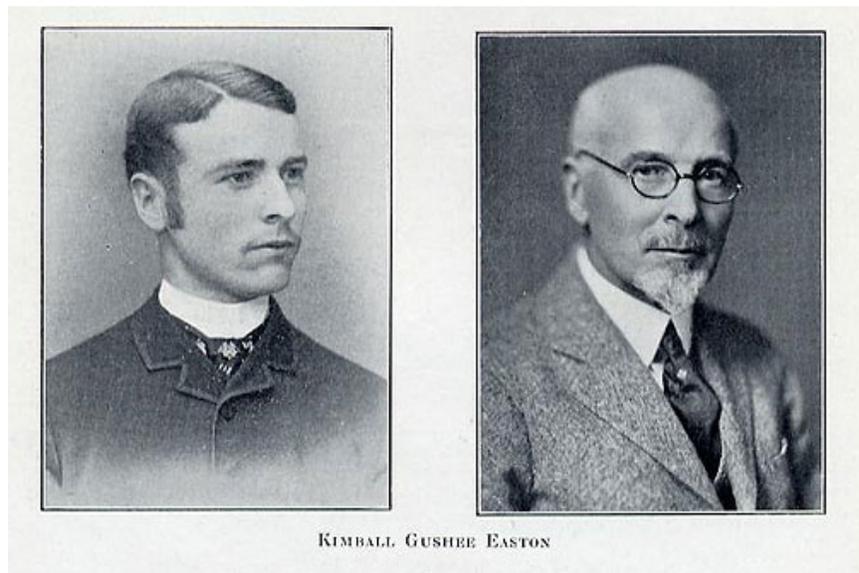


Figure 75. Kimball Gushee Easton as a student and in later life  
(*The Class of 1886 in 1926*)<sup>48</sup>

A biography of Kimball Easton appeared in the *California Historical Society Quarterly* shortly after his death.<sup>49</sup> The author was none other than Anson Stiles Blake, who wrote:

#### IN MEMORIAM

##### Kimball Gushee Easton

Kimball Gushee Easton, son of the reverend Giles A. Easton and Mary Gushee Easton, was born in San Francisco, September 25, 1865, and died suddenly in Berkeley, March 21, 1925. He spent his early boyhood in Benicia and attended the Episcopal School there. Later, when the family moved to Berkeley, he attended the Berkeley Gymnasium up to the time of entering the University of California. He earned the money to put himself through the University by working as a printer's devil and other odd jobs. While in the University he was active in journalism and was co-editor of the campus paper that developed into the "Blue and Gold." The first "Blue and Gold" to appear in book form was issued by his class and under his direction.

He graduated from the University in 1886. After graduation he went into the employ of The Oakland Paving Company, supervising as his first work the first pavement laid in Berkeley, on Dwight Way. A few years later, the late C. T. H. Palmer sought his assistance to rescue a paving company he had started in Los Angeles, and he removed there. After a few years he returned to Berkeley to live and formed a partnership with Arthur R. Wilson to carry on a general contracting business. When this partnership was dissolved he became associated with the firm of Bates, Borland and Ayer and continued with them until the time of his death.

He was married on October 4, 1892, to Katherine Olden who survives him. Three children were born of this union. Olden Alexander Easton who

<sup>48</sup> <http://freepages.rootsweb.com/~npmelton/genealogy/cal26inx.htm>

<sup>49</sup> <https://online.ucpress.edu/ch/article/4/2/214/30220>

died in infancy, Dorothea Alice Easton, now Mrs. Robert Harter, and Esther Katherine Easton.

Mr. Easton was an ardent lover of his native country and enjoyed the outdoor life it affords most thoroughly. He spent all of the time he could spare from his busy life in the cities, in the Sierra, where his little mountain ranch was the point of departure for many expeditions. He was also a student all his life and was well versed in the poetry of the English and French languages. He was one of the few in his generation who continued to read Latin and Greek literature for enjoyment only.

He was a member of the Society of California Pioneers and took a great interest in their affairs; and was, at the time of his death, one of their trustees.

ANSON S. BLAKE

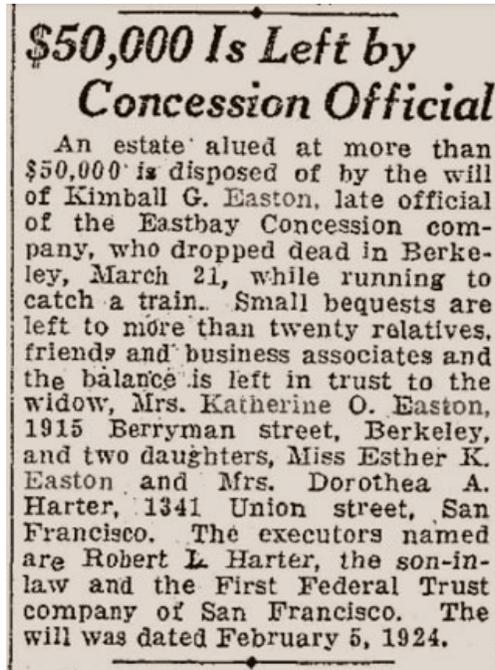


Figure 76. Oakland Tribune, 1 April 1925

Katherine Olden Easton was born in San Jose. In 1893, in San Francisco, she studied at the California School of Design, forerunner of the San Francisco Art Institute. In 1893, the school became affiliated with the University of California, was housed in the Mark Hopkins mansion atop Nob Hill, and became known as the Mark Hopkins Institute of Art.

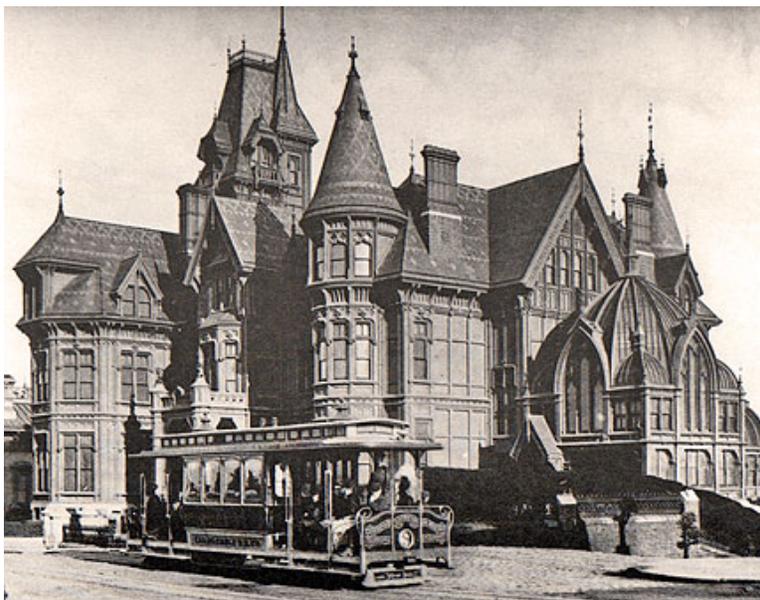


Figure 77. Mark Hopkins Institute of Art, San Francisco

Katherine Easton is listed in Edan Hughes's *Artists in California, 1786-1940* and in *Jacobsen's Biographical Index of American Artists* (2002). In 1909, she and co-author Sadie Bowman Metcalfe, also of Berkeley, copyrighted a modern drama in three acts titled *The Upheaval*. Her daughter, Esther Katherine Easton (1900–1980), was also an artist. As a student at the University of California, she was a member of the Delta Epsilon women's art honor society<sup>50</sup> Like her mother, Esther is listed in *Jacobsen's Biographical Index of American Artists*.

In 1928, Katherine and Esther were living with the married Payson daughter, Dorothea Harter, in a new house the Harters had built at 797 San Luis Road (future home of architect James W. Plachek). The 1930 U.S. Census taker found mother and daughter lodging on a farm in Groveland, outside Yosemite. Edan Hughes located Katherine in Carmel in 1933. That may be where she met Hattie G. Parlett, to whom she sold the Payson House about that time.



Figure 78. Esther K. Easton  
(1923 Blue and Gold)

### **Hattie G. Parlett & Adelene K. Lewison**

Hattie Goodrich Parlett (1871–1971) was born in Baltimore, Maryland. Her father, Benjamin Francis Parlett (1824–1884), established B.F. Parlett & Co., a

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<sup>50</sup> 1923 *Blue and Gold, a Record of the College Year 1921-1922*.

wholesale tobacco business, in 1843, later adding a tobacco manufacturing facility in Danville, Virginia.

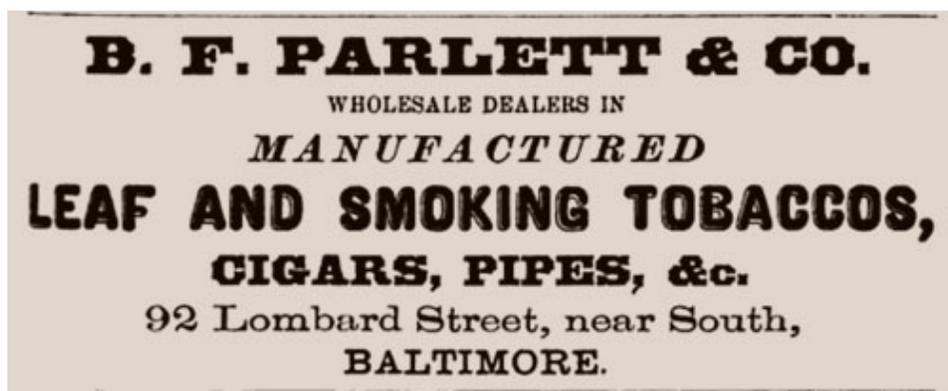


Figure 79. Ad in *"The Monumental City, Its Past History and Present Resources,"* 1873

Shortly after the turn of the century, Hattie and her mother moved to Mount Vernon, New York, where they were enumerated in the 1905 New York State Census. Hattie bred English toy spaniels. The American Kennel Club's official stud book of 1908 listed three of her prize-winning dogs: Baltimore Belle, Baltimore Best Girl, and Rosemary Calvert.

Hattie's mother died in 1912, freeing the 41-year-old Hattie to start a new life. She moved to Hartford, Connecticut and met Adelene Kneeland Lewison (1870–1951), the woman who would become her life partner. The two traveled widely during the 1920s, and by 1930 had come to live in Carmel, where they were listed as residing on Dolores Street, between Second and Third avenues. In the 1930 U.S. Census, the occupation of both women was listed as Art Needlework.

In Carmel's small art community of the early 1930s, it was natural for Katherine Easton and Hattie Parlett to have known each other. This may explain how, by 1935, Hattie and Adelene were the occupants of the Payson House, where Adelene continued to produce art needlework.

In 1939, the two women began sharing their home with Hattie's widowed niece, Isabel Carter Todd (Smith) Knipp (1890–1968), who arrived by ship from New York. Isabel probably lived on the second-floor, which at the time was still part of the main residence. In 1942, after Hattie sold the house to Harry and Ruth Miller and moved to Hayward, Isabel was still registered to vote at 1915 Berryman Street but soon found other accommodations in Berkeley.

### **Harry V. & Ruth E. Miller**

The Miller family and its descendants have owned the Payson House and lived in it for 78 years, beginning circa 1941–42.

Harry Vincent Miller (1891–1961) was born in Albany, New York, to a working-class family. His father was a house carpenter, and all the Miller children went to work after completing eight years of elementary school. One of Harry's elder sisters, Henrietta, worked as a clerk in a printing office, and an older brother apprenticed with a printer before becoming a house painter. Harry also went into the printing trade; at the age of 18, he was enumerated in the 1910 U.S. Census as a stereotyper, an occupation he practiced his entire working life.

During World War I, Harry served two years in the U.S. Marine Corps, exiting the service in October 1919 with excellent character. He moved to Colorado, where he married Ruth C. Earnest (1899–1986) in June 1922.

Ruth was born on a farm in Clifton, South Dakota. A year or so after her birth, the family moved to Lane County, Oregon. Ruth's father died in 1911, her mother remarried the same year and died in 1913, when Ruth was 13. Ruth was sent to live with her father's married sister, growing up on a farm in Martin, Kansas.

Harry and Ruth Miller married in Pueblo, Colorado. In 1930, they were living in Denver with their two young daughters, Betty Ruth, 7, and Helen Marie, 4. Harry was employed by the *Rocky Mountain News*. By 1940, they had relocated to Englewood, Colorado, where Harry earned \$1,800 a year from his stereotyping job at a local newspaper. The Millers' youngest child, Edward Earnest Miller, was then five years old. Harry's sister, Henrietta, was living with the family and working as a binder in a printing establishment. The family moved to the Bay Area in 1941.

In 1942, Harry Miller's World War II draft registration card documented him as living at 1915 Berryman Street and working for the *Oakland Post-Inquirer*. His obituary in the *Oakland Tribune*, however, stated that he had been a *Tribune* employee from 1941 until his retirement in 1958.

The Millers moved into their Berkeley house just as the United States entered World War II. During the war years, many houses in Berkeley were being converted into apartments in order to help house the influx of war-industry workers. That was when Harry Miller converted the house to two apartments, although the building permits leave a gap in the chronology.

Harry Miller died on 6 April 1961. The *Oakland Tribune* published his obituary the following day.

#### **Death Takes H. V. Miller at Age 69**

BERKELEY, April 7—Harry V. Miller, longtime Berkeley resident active in veterans' organizations, died yesterday in a Livermore hospital. Mr. Miller, 69, was a retired stereotyper and was an employee of The Tribune from 1941 to 1958. A World War I veteran, he was a member of the Veterans of Foreign Wars, Post 703, Berkeley; Disabled American Veterans, Chapter 7, Oakland; and American Legion Post 240, El Cerrito. He also was a member of St. Mary Magdalen Church, the Holy Name Society and the International Stereotypers and Electrotypers Union, Local 29, San Francisco. He lived for many years at 1915 Berryman St. and was a native of Albany, N.Y. Mr. Miller is survived by his widow, Ruth; daughters Mrs. Betty Ruth Geritz of Berkeley and Mrs. Helen Marie Petrash of San Lorenzo; a son, Edward E. Miller, Berkeley; sister, Henrietta Miller and brother, Frank, both of Albany, N.Y.; and 10 grandchildren. The Rosary will be recited at 8 p.m. today at the Berkeley Hills Chapel, Shattuck Ave. and Cedar St. A Requiem Mass will be said at 9:30 a.m. tomorrow at St. Mary Magdalen Church. Interment will be in St. Joseph's Cemetery, San Pablo.

On 25 October 1961, Ruth Miller deeded the property at 1915 Berryman Street to her three children, Betty Ruth Geritz (1923–2011), Helen Marie Petrash (1925–201?), and Edward Earnest Miller (1934–). Ruth died in 1986. The next principal

residents in the house were Helen Petrash and her husband John (1922–2016), an expert archer and scuba diver.

Helen Petrash died a few years before her husband. Their daughter, Paula, moved in to look after her father. In the photo below, they are shown at home a year before John's death.<sup>51</sup>



*Figure 80. Paula Petrash & her father (center) at home, 2015  
(courtesy of Joe Timmons, Aqua Tutus Club)*

Until earlier this year, the property was jointly owned by no less than ten different trusts representing members of the extended Miller family. The heirs finally sold the family's historic home this year, to a couple from Sunnyvale whose business model entails buying old houses, razing them, and constructing multiple units on the parcels. They have done so recently at 2212 Tenth Street.

### **Chronology of the Payson House ownership**

1889–1919	William H. & Esther L. Payson
1919–c. 1935	Kimball G. & Katherine O. Easton
c. 1935– c. 1942	Hattie G. Parlett
c. 1942–2020	Harry V. & Ruth E. Miller and descendants
2020–	Alon & Ravit Danino

<sup>51</sup> "In Memoriam, John Petrash." Aqua Tutus, 25 October 2016.  
<https://aquatutus.org/in-memoriam-john-petrash/>

## 16. Context



Figure 81. The neighborhood in 1950 (Sanborn map)



Figure 82. 1913 Berryman Street, 1971 (Donogh files, BAHA archives)

Between 1929 and 1950, there were few changes in the neighborhood. The most noticeable addition consisted of two new townhouses on the western half of the original Payson parcel, which had been subdivided prior to 1929. Each containing a pair of semi-detached units, these townhouses, 1911 and 1913 Berryman Street, were constructed in 1937 by the well-known architect Paul Hammarberg (1911–2009), who was also the owner.

The next change was more significant. In 1960, Grace Pinkerton, whose father had built the family’s Colonial Revival house at 1931 Berryman Street in 1903, moved to Marin County and sold the parcel as an “excellent location for multiple units. Zoned R-3 for 8–9 units.” That is exactly what was built there next.

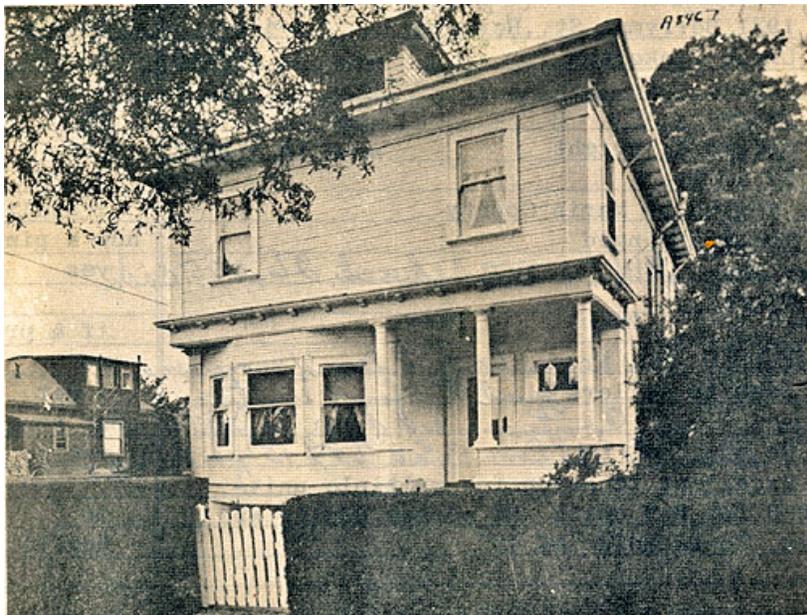


Figure 83. Pinkerton house, 1931 Berryman Street, in 1960 (Donogh files, BAHA archives)



Figure 84. Apartments, 1931 Berryman Street (Google Street View)

No photograph has been found of the historic Frederick & Susan Berryman house (1888), which stood on the southwest corner of Berryman Street and Bonita Avenue. Susan Berryman died in 1935 at the age of 84. In 1966, the Berryman house was occupied by Clark Armstrong, an insurance executive. This house was torn down, along with two others—1906 Berryman (built in 1926) and 1908 Berryman (also owned by the Berryman family)—and replaced circa 1972 with a 24-unit apartment building that has aged badly and is a blight on the streetscape.



*Figure 85. 1906 Berryman Street (Donogh files, BAHA archives)*



*Figure 86. Raj Properties apartments, 1910 Berryman Street*

With the exception of the two large apartment buildings on the northeast and southwest corners of the Berryman-Bonita intersection, the neighborhood retains much of its historic character. One- and two-story residences in various

architectural styles, an abundance of trees, and the proximity of Codornices Creek give the area a decided bucolic air.



*Figure 87. 1200 block of Bonita Avenue, looking north (Google Street View)*



*Figure 88. 1200 block of Bonita Avenue, west side*



*Figure 89. 1300 block of Bonita Avenue, west side (Google Street View)*



*Figure 90. 1300 block of Bonita Avenue, east side (Google Street View)*



*Figure 91. Berryman Street east of Bonita Avenue (Google Street View)*



*Figure 92. The neighborhood today (Apple Map)*

## 17. Significance

**Consistent with Section 3.24.110A.1.b.**, the William H. & Esther L Payson House possesses architectural merit. It was built in 1889 by the important construction firm of Lord & Boynton and is one of only five surviving buildings constructed by that firm. The Payson House's appearance is unique in the firm's surviving body of work; it is the only single-story, unadorned, hip-roofed building, reflecting the Unitarian spirit of its first owners.

**Consistent with Section 3.24.110A.1.c.**, the Payson House is worth preserving for the exceptional values it adds to the neighborhood fabric. It was one of the first houses built north of Berryman Street—an area that wasn't even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract, which had been subdivided in 1875.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

In addition, the Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. The other three

corners are occupied by apartment buildings dating from the 1920s, 1960s, and 1970s, respectively.

**Consistent with Section 3.24.110A.4.**, the Payson House has historic value. Its builders were the Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921), who arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today.

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

**18. Is the property endangered?** Yes, a demolition permit has been applied for.

**19. Reference Sources:**

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA, Berkeley Historical Society, Ancestry.com.

Block files. BAHA.

Tract maps & Sanborn Fire Insurance Maps. BAHA.

Assessor’s maps. Alameda County Assessor’s Office.

U.S. Census and California Voter Registration records. Ancestry.com.

Ormsby Donogh files. BAHA.

Nelson, Marie. *Surveys for Local Governments—A Context for Best Practices*. California Office of Historic Preservation, 2005. [http://ohp.parks.ca.gov/pages/1054/files/Survey\\_Savvy\\_CCAPA.pps](http://ohp.parks.ca.gov/pages/1054/files/Survey_Savvy_CCAPA.pps)

**20. Recorder:**

Daniella Thompson  
2663 Le Conte Avenue  
Berkeley, CA 94709

**Applicant:**

Deborah Kropp  
1231 Bonita Avenue  
Berkeley, CA 94709

**Date:** June 2020

**Initiated Property Letter**



Planning and Development Department  
Land Use Planning Division

June 24, 2020

Alon and Ravit Danino  
1493 Firebird Way  
Sunnyvale, CA 94087

**Re: Notice of initiation of City of Berkeley Landmark designation consideration for the property at 1915 Berryman Street, APN 060-2449-013-00**

This letter is to inform the owners of the property at 1915 Berryman Street that consideration of said property for designation as a City of Berkeley Landmark or Structure of Merit has occurred. Pursuant to Berkeley Municipal Code Section (BMC) 3.24.120, initiation of designation consideration shall be by the verified application of not less than 50 residents of the City. On June 8, 2020, 65 Berkeley residents initiated this consideration by petition; see enclosure.

A public hearing on the designation is anticipated for the August 6, 2020 regular meeting of the Landmarks Preservation Commission (LPC). Pursuant to BMC Section 3.24.140, a notice of the public hearing will be posted on or adjacent to the subject property and mailed to the property owner as well as owners and occupants of properties within 300 feet of the site. This notice will be mailed and posted not less than 10 days prior to the date of the hearing.

If you have questions about the action or pending hearing, please contact Fatema Crane, LPC Secretary by telephone at (510) 981-7413 or by email using this address:  
[FCrane@cityofberkeley.info](mailto:FCrane@cityofberkeley.info)

Sincerely,

A handwritten signature in black ink, appearing to read "Fatema Crane".

Fatema Crane  
Senior Planner  
Secretary to the Landmarks Preservation Commission

Enclosure



State of California  The Resources Agency Primary #  
DEPARTMENT OF PARKS AND RECREATION HRI#  
**BUILDING, STRUCTURE, AND OBJECT RECORD**

\*Resource Name or # (Assigned by recorder) 1915 Berryman St., Berkeley \*NRHP Status Code \_\_\_\_\_  
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- B1. Historic Name: --  
 B2. Common Name: 1915 Berryman St.  
 B3. Original Use: Single-family residence B4. Present Use: Multi-family (4 units)  
 \*B5. Architectural Style: Victorian Shingle  
 \*B6. Construction History:

The 1915 Berryman Street property houses a residential building, 1-1/2 stories (single story over tall crawl space/cellar) at its front and back and 2-1/2 stories at its mid-section. The front and back appear to be what in part remain of an original, 1889 house; the mid-section a 1925 addition which level was provided with independent access, thus initiating the building's conversion from single to multiple occupancy. Since, additional alterations have further expanded the residential use to, recently, three residential units with at least six different entry doors. (cont.)

- \*B7. Moved?  No  Yes  Unknown Date: \_\_\_\_\_ Original Location: \_\_\_\_\_  
 \*B8. Related Features: None  
 B9a. Architect: unknown b. Builder: Lord & Boynton  
 \*B10. Significance: Theme -- Area --  
 Period of Significance -- Property Type -- Applicable Criteria --

In sum, per an 1889 deed and an 1889-1890 directory listing, the existing building was constructed in 1889-1890 as a single-family house and with a 1925 permitted addition, which latter work included a detached garage. The existing building is, thus, visibly configured in three distinct parts: front, middle and rear. It may be presumed but is not a given – as at this juncture there is no original or early visual documentation – that the character of the original house in part remains at its front and rear segments, at least in part. (cont.)

B11. Additional Resource Attributes: (List attributes and codes) HP2: Single-family property

\*B12. References:  
 Sanborn Fire Insurance Maps for Berkeley, CA, 1911-c1980; City of Berkeley permit records and County of Alameda Assessor's records, 1915 Berryman St.; United States census records, 1890-1940; Historic newspapers (@CDNC.org) and Alameda County directories (@SFPL.org); Berkeley Architectural Heritage Association archives; City of Berkeley Landmark Application, 1915 Berryman St., June 2020.

- B13. Remarks:  
 \*B14. Evaluator: Mark Hulbert Preservation Architect  
 \*Date of Evaluation: 5/22/2020 rev.7/10/2020

(This space reserved for official comments.)

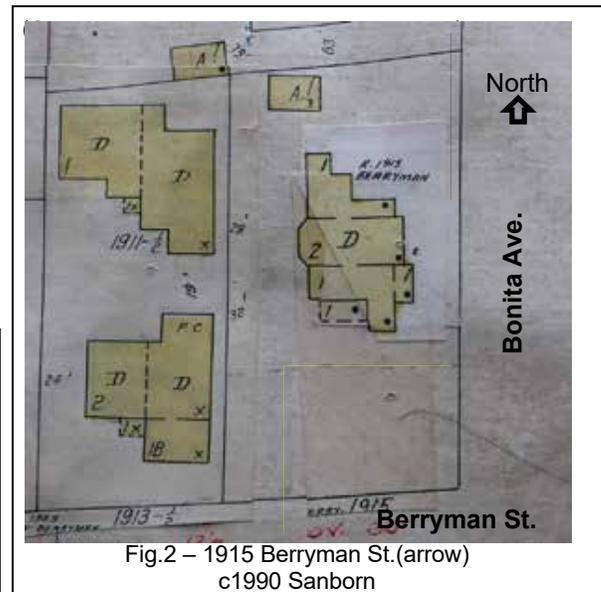


Fig.2 – 1915 Berryman St.(arrow)  
c1990 Sanborn

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Property Name: 1915 Berryman St., Berkeley

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### Description (continued):

There are essentially no views of the building from Berryman while there are glimpses of a wood shingled building from Bonita. Even on-site views of the building are limited. (cont.)



Fig.3 – 1915 Berryman St., view of house from Bonita Ave.



Fig.4 – 1915 Berryman St., front (south) from front driveway

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### Description (continued):

Overall, the existing building exterior is unpainted, dark wood shingled over painted horizontal board-sided (v-groove) crawl space walls separated by a continuous water table, over which the bottom course of shingling laps. A front wing projects forward under a front gabled roof. Otherwise, the roofs are hipped or shedded, including atop the 2-1/2 story mid-section, which has a low-sloped roof that sheds to the east and west from a central ridgeline. A small gabled dormer is partly visible atop the front hip roof.

The windows are mostly wood double-hung with several miscellaneous wood casements and a few metal replacements. There are three windows that have divided lites – a pair of upper sashes at the front wing and a lower sash unit at the front west side. The exterior doors are a variety of wood styles. As noted, there exist at least six different entry doors – three at the front porch, two at the east side porch and another at the rear porch. Also at the rear, covered exterior steps lead down to a cellar door. Window and door casings are flat wood boards with projecting window sills with molded apron trim. The only other molded trimwork is at the lower roof eaves, where there is a broad ogee trim (except where it has been replaced with gutters), whereas the projecting eave at the upper roof is a wood box atop the flat board fascia with a transitional molding. There are also a variety of wood doors and windows at the crawl space/cellar walls. One of which, at the projecting west side bay, has a sill with more pronounced wood trim and trim blocks below, yet which occur nowhere else on this building. (cont.)



Fig.5 – 1915 Berryman St., part east side

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Fig.6 – 1915 Berryman St., west side



Fig.7 – 1915 Berryman St., rear (north) from rear driveway

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### Description (continued):

The overall character of this residential building is curiously segmented, with the front and rear segments separated by the tall box-like mid-section, which physically bisects the former house. And the front, gabled wing is its only formal aspect. The entry stairs climb along the western side of this projecting wing to a recessed entry way under a shed roof shared with what is evidently an enclosed front porch, which has an aluminum sliding window at the front and a multi-lite fixed window at its western side wall.

It is very unlikely that the existing wood shingles are original to the 1889 building. Rather, it is more likely that they were added in the 1920s, or later, and there are also evident areas where the shingles are recent. That shingles stand proud of wood casings suggests that there are multiple layers of siding, at least at the oldest parts of the house.

### Construction History (continued):

A portion of block 16 of the 1875 Map of the Berkeley Villa Association, the property was acquired and its original house constructed in 1889, by and for Etta Payson, at which time the lot was twice as wide and more than twice as deep as the current parcel, as the original rear boundary was the line of Codornices Creek. Pre-1900, Berryman was named Gilman Street and Bonita was Louisa Street. In that period, the S.P.R.R. streetcar line ran along Shattuck to Rose and which was extended by 1910 along Henry Street directly east of this neighborhood, with a stop at what was called Berryman Station. Thus, the commuter streetcar is an historic context of this vicinity and which, evidently, provided a measure of convenience to the turn-of-the-century commuters of this neighborhood, including the husband of Etta, William H. Payson, an attorney with offices in San Francisco.

No deeds have been found for subsequent lot splits but, in 1919, when Etta Payson deeded her property to its next owner, Katherine O. Easton, it was still a double wide lot yet without its rearward half.

The existing adjacent parcel to the west was split off prior to 1925 by Easton, based on the evidence that Easton acquired a mortgage for just the subject lot in 1925.

As mentioned, other than deed records, no original documentation has at this juncture been located. The plan of the building was first depicted in the 1911 Sanborn map, when it was identified as a 1 story dwelling. May 1925 permit records follow, which are the first permit records available and that cryptically listed the work as "raise the roof on east and west; windows [on east and west]; shower bath toilet basin; steps front rear; hardwood flg. on main floor;" the owner listed as Mrs. K.O. Easton, the builder J.P. Wood. A second 1925 permit was taken for a 10x18 garage to be occupied by "1 machine" and, again, for Easton and by Wood. No architect is identified.

The 1929 Sanborn map recorded the bisected building with its 2 story mid-section and rearward garage. Most of the surrounding parcels were by then built upon with the exception of the parcel immediately to the west.

Thereafter, there was 1945 and 1946 building permit activity, the former for the "back outside stair to be fix[ed] up" and interior stair changed, the latter to change the porch window and close in a 6' x 8' porch. Each of those permits listed the owner as Harry Miller and identified the property as 2 family.

Real estate records further identify a 1942 owner as Hattie G. Parlett, who was listed in the 1935-1941 directories and in the 1940 census at 1915 Berryman; and the 1961 transfer of the property from Ruth E. Miller to Betty Ruth Geritz, Helen Marie Petrash and Edward Earnest Miller. (cont.)

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### Construction History (continued):

Ownership chronology:

Payson – 1889-1919

Easton – 1919-c1935 (occupied 1915 Berryman c1922-c1925)

Parlett – c1935-c1942

Miller – c1942-1961

Miller/Petrash – 1961-2020

Beginning in 1955, miscellaneous permit and housing inspection records identify the building use as apartments. The last permit record under the Miller/Petrash family ownership was in 1994, when the use was then listed as a home plus three living units. Through most of this duration, the building was not owner-occupied.

### Significance (continued):

Although it was, originally, a Victorian era house, there is little architectural evidence of its period of origins as there is practically no period ornamentation. Which raises the question of whether it was originally a relatively plain house design for its period or whether original elements and materials were altered and removed as the former house was converted to multiple residences.

There are other contemporaneous houses in the direct vicinity and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period (figs.8-10). Two properties westward on Berryman (#1905) is a late-Victorian Shingle style house with a distinctive range of materials and elements; directly behind the subject property is another modest yet dignified turn-of-the-20th century Shingle style house (#1234); and further down and across Bonita is a large and highly distinctive Shingle style residence (#1231). And there exist other surviving period houses in the direct vicinity in comparison to which 1915 Berryman is not equal aside from its generous corner site.

The neighborhood and its context are otherwise a mix of residential types and periods, several relatively sizable apartment buildings included, a couple of which are direct neighbors to 1915 Berryman. Such a mix is also actually embodied in the subject multi-unit building.

### Associated Persons

As summarized above, the persons associated with the original and early residential uses included:

Etta L. and William H. Payson, he a S.F. attorney (per 1900 and 1910 censuses, 1889-1913 directories) and, also, briefly though perhaps erroneously identified in a 1907 news account as the president of Northwestern Pacific Railroad (NWP, SF Call, 30 July 1907; whereas an A. H. Payson appears to have been the railroad's president in that period, nor does W. H. Payson's name arise in the NWP historical information). Numerous news accounts additionally associate Payson with the First Unitarian Church.

Kimball G. Easton, an Oakland street construction engineer and treasurer (per 1920 census, 1925 directory), who passed away in the year that the addition was made to the house.

Katherine O. Easton, author (per 1922 directory); about whom no other specific information has been found, who resided here from c1922 until c1925 then appears to have moved away (listed in 1930 census in Tuolumne County).

The family of Harry V. and Ruth E. Miller, for whom no specific information has been located. (cont.)

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### Associated Persons (continued):

During each of these individual ownership periods, the property was owner-occupied for periods thereof, so has for relatively long periods been a rental property, including in the last years of its existence as a single-family house.

### Evaluation

Based on the above information and as per California Register of Historical Resources evaluation criteria:

*Criterion 1* – There is no evidence of any specific events of any historic importance associated with this property or building. It is a private, residential property first developed in the late 19th century then further developed as a multi-unit residential building in the 1920s. Though associated with the turn of the 20th century suburban streetcar line, that general association applies to all of the numerous properties served by the streetcar system, including all of its contemporaneous neighbors.

*Criterion 2* – Persons associated with construction of the 1889 residence, Etta and William Payson, have no identifiable historic importance relative to their residence. Contemporaneous news accounts record that the Paysons were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home. Neither do the subsequent owners, Katherine and Kimball Easton, who were responsible for the 1925 multi-residential additions and alterations, have any identifiable importance. Thus, based on generally available information, there is no evidence of any historically important persons associated with the subject property and building.

*Criterion 3* – In terms of potential design and construction importance, the existing residential building is a mix of parts without distinctive architectural origins. While portions of the original house appear to remain, the use and design of that former house has been severed into parts as well as from its origins, to the extent that whatever the design character of the original house was, relative to its period, is uncharacteristically basic and has been partially lost. Nor is the existing building identifiably distinctive of its turn-of-the-20th century architectural period whereas, in its historical context, potential significance would be on that basis – as a range of nearby homes demonstrably are. Neither is the mid-1920s addition of any potential design or construction distinction, in fact it is clumsily bisecting and assertive. So it is evident that the existing building lacks distinction as well as integrity relative to its original/early design and construction.

Further, no original architect, engineer or designer has been identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton). Thus, it is not a notable work of an original designer and builder, while other original and intact works of the identified builders have been identified, whereas the subject 1889-90 residence is not. The 1920s add was constructed by J. P. Wood, whose work does not otherwise arise in historical records. Additionally, the extant property and building are without any artistic associations. Therefore, there is no identifiable significance under criterion 3.

*Criterion 4* – Relative to potential historic architectural resources, the subject property has not yielded and at this juncture, beyond the contents of this report, does not appear to have any potential to yield additional information of any historical importance.

### Conclusion

In conclusion, the existing residential building at 1915 Berryman St. in Berkeley lacks any potential historical significance per the California Register criteria.

Given the extent to which the property, building and its setting have been altered, relative to architectural aspects of integrity, the extant property and building lack integrity of design, materials and workmanship.

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As the association to its original use and users has also been lost and given the extent to which the setting has changed from that of its original and semi-rural period, the property and building also lack integrity of association and feeling. As the integrity of location is all that remains intact, the property and building lack historic integrity.



Fig.8 – 1905 Berryman St.



Fig.9 – 1234 Bonita St.

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Fig.9 – 1231 Bonita St.



July 10, 2020

**1915 Berryman St., Berkeley  
City of Berkeley Historical Evaluation**

As delineated below, per the City of Berkeley's *Landmarks Preservation Ordinance (LPO)*, the property and building located at 1915 Berryman St. are not eligible for designation as a Berkeley Landmark or Structure of Merit.

The 1915 Berryman Street property houses a residential building on a generous corner site. The subject building is 1-1/2 stories (single story over tall crawl space/cellar) at its front and back and 2-1/2 stories at its mid-section. The front and back appear to be what remain of an original, 1889 house; the mid-section a 1925 addition with a dedicated entry door and internal stair and which initiated the conversion of the building to multiple units. Since, additional alterations have further expanded the residential use to, recently, three residential units with at least six different entry doors.

In sum, per an 1889 deed and an 1889-1890 directory listing, the existing building was constructed in 1889-1890 as a single-family house and with a 1925 vertical addition, which latter work included the detached, extant garage. The existing building is, thus, visibly configured in three distinct parts: front, middle and rear (figs.1-3). It may be presumed but is not a given – as at this juncture there is no original or early visual documentation – that the character of the original house in part remains at its front and rear segments.

Additional historical and descriptive information is included in the attached documentation.

**3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.**

*A. Landmarks and historic districts. General criteria which the commission shall use when considering structures, sites and areas for landmark or historic district designation are as follows:*

*1. Architectural merit:*

*a. Property that is the first, last, only or most significant architectural property of its type in the region;*

The property type of the subject resource is multi-family residential, though the building was originally single-family, yet added to and simultaneously converted to multi-family beginning in the 1920s.

Neither as single-family nor multi-family is the existing residential property and building “first, last, only or most significant architectural property of its type” in this specific neighborhood, general vicinity or overall region.

Under this criterion, while there are a number of nearby residences that date to the same or earlier years, one suffices – 1317 Shattuck St., a c1885 dwelling that stands within several blocks of the subject property (fig.4).

That one example also readily addresses the criterion question of “most significant architectural property,” as the landmark residence at 1317 Shattuck has identified and potent architectural merit to which the existing building at 1915 Berryman does not compare. And

each of the other handful of nearby examples also exceed the architectural quality of the subject property and building (relevant examples include 1410 Bonita, 1892; 2001 Francisco, c1886-1889; 2043 Lincoln, c1889; 1418 Spruce, 1885; and 1536 Oxford, 1889 – figs.5-9).

And yet, the subject property type is multi-residential. While the 1929 and 1950 Sanborn maps specifically identify numerous multi-family properties/buildings within one block of the subject property, one of the earliest and best architectural examples readily suffices – the c1904 multi-family residential building at 1939-1945 Berryman, one block directly east of the subject property.

*b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder; or*

There is no evidence that the subject property or building embody any outstanding historic architectural qualities. Relative to its Victorian Style period of origin, its original character is not specifically known while, compared to numerous and readily identified others in the immediate vicinity, the extant building is a poor architectural example of the Victorian period and style. Further, no architect, engineer or designer has been directly identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton). There is additionally no evidence of any outstanding construction character – in fact, the subject building's construction is rudimentary. Thus, it is not a notable work of an original designer/builder, while other original and intact works of the identified builders have been identified.

The subject property and building were also substantially altered beginning in the mid-1920s, when a second story was added, which level was provided with independent access, thus initiating the building's conversion from single to multiple occupancy.

*c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.*

The subject building is a mix of parts without exceptional architectural origins or character. Given its history of occupancy and alteration, there is also no evidence of any qualitative historical consideration or concern by any of its owners. While portions of the original house generally appear to remain, the use and design of that former house has been severed into parts as well as from its origins, to the extent that whatever the design character of the original house was, relative to its Victorian period, was uncharacteristically basic and has been partially lost. Nor is the existing building identifiably distinctive of its turn-of-the-20th century architectural period whereas, in its historical context, potential significance would be on that basis – as a range of nearby homes demonstrably are. Neither is the mid-1920s addition of any potential design or construction distinction, in fact it is clumsily bisecting and assertive.

The subject building has no preservation-worthy characteristics or values relative to its neighborhood, where there exist other contemporaneous period houses and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period. Two properties westward on Berryman (#1905, c1910) is a late-Victorian Shingle Style house with a distinctive range of materials and elements, while directly behind the subject property is another dignified late-19th century Shingle Style house

(#1234 Bonita, c1893). Moreover, just to the north and across Bonita stands a large Shingle Style residence (#1231 Bonita, c1906 – figs.10-11), which is clearly the most distinctive historic architectural example in the immediate neighborhood. Compared to each of these direct examples, the subject house pales. And as summarized above, there exist numerous other surviving period houses in the direct vicinity in comparison to which 1915 Berryman is not equal.

Further, to the extent that these specific examples house multiple units, and which is likely, the added units did not forfeit the original architecture, as happened when the subject building was converted to multiple units from the 1920s into the 1950s.

The neighborhood and its context are otherwise a mix of residential types and periods, several 20th century apartment buildings included, several of which are direct neighbors to 1915 Berryman. Such a mix is also actually embodied in the subject multi-unit building.

*2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City;*

The subject residential property has no direct association to cultural developments important to the City. Based on numerous news accounts, its original owners, the Paysons, were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home. Furthermore, the reality is that, relative to the existing property and building, the Payson association has long been lost.

*3. Educational value: Structures worth preserving for their usefulness as an educational force;*

The subject residential property and building have no educational usefulness. They are a composite of which the early-to-mid 20th century multi-family character and use are dominant. There is also no recordation or clear understanding of the subject building's original form, which has been altered and obscured by subsequent additions, alterations and deterioration.

*4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military;*

The subject building is neither preservation worthy nor would the property or building express or embody the history of Berkeley. The subject property and its building have no intact relationship to the intact late-19th and early-20th century residences directly adjacent and adjoining, several of which definitively express their historical context and period.

*5. Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.*

The subject property and building are not listed on the National Register.

*B. Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:*

- 1. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a*

*neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.*

A demonstrably poor as well as substantially altered former residence, the subject building has no preservation-worthy characteristics or values relative to its neighborhood, block or street frontages, which comprise a mix of single and multi-family residential uses and buildings. And of each type, there are numerous and far better examples.

2. *Specific criteria include, but are not limited to one or more of the following:*

a. *The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.*

b. *The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.*

One Berkeley Landmark stands within the subject neighborhood, one block west of the subject property – the Maybeck House #1 at 1300 MLK Jr. Way. The 1892-1902 Maybeck House is contemporaneous with the origins of the subject building. It also shares a mixed character, as neither of those original single-family residences are intact. Nonetheless, the significance of the Maybeck House is contingent on its original owner and architect, Bernard Maybeck, a historic Berkeley architect with an international architectural reputation and without which the Maybeck House would not have mustered designation (notably, despite the Maybeck provenance, the vote to designate the property was won by the narrow margin of 5-4).

Lacking evidence of any architect, etc., it may be presumed that the original subject building was the design of either its owner or its builder. In either event, the subject property has no origins that even approximate the Maybeck House. Moreover, given subsequent additions and alterations, the original building does not exist as a work of architecture. Moreover, its substantive additions were also not the product of any identifiable architect, etc., so must again be presumed to have been the design of the then owner or builder.

The subject property and building are also lack direct associations to any significant historic period or event.

c. *The structure is a good example of architectural design.*

The subject building is a poor example of architectural design.

d. *The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of buildings.*

The subject building has no identifiable historical significance relative to the City or to its neighborhood, block, street frontage or group of buildings. Its alteration and degradation have severed the subject building from its early associations.

In conclusion, the property and building at 1915 Berryman Street, Berkeley lacks potential historical significance under the criteria of the City of Berkeley's Landmarks Preservation Ordinance.

Signed:



Mark Hulbert  
Preservation Architect & Historic Resources Consultant

attached: figs.1-11 (pp.5-9); 1915 Berryman St., DPR forms



Fig.1 - 1915 Berryman St., front looking north from Berryman St. sidewalk (all photos MH2020)



Fig.2 - 1915 Berryman St., east side from Bonita Ave. sidewalk



Fig.3 - 1915 Berryman St., rear from Bonita Ave. sidewalk



Fig.4– 1317 Shattuck Ave., c1885



Fig.5 – 1418 Spruce St., 1885



Fig.6 – 1410 Bonita Ave., c1892

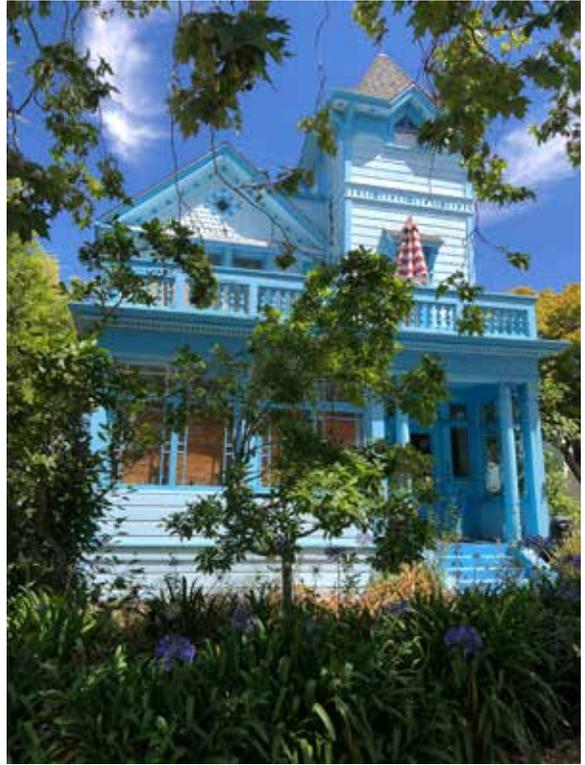


Fig.7 – 2001 Francisco St., c1886-1889



Fig.8 – 2043 Lincoln St., c1889



Fig.9 – 1536 Oxford St., 1889



Figs.10-11 – 1231 Bonita Ave., c1906

DANIELLA THOMPSON  
2663 LE CONTE AVENUE :: BERKELEY, CA :: 94709

20 July 2020

Landmarks Preservation Commission  
Fatema Crane, Secretary  
Land Use Planning Division  
1947 Center Street  
Berkeley, CA 94704

Re: Payson House, 1915 Berryman Street landmark application

Dear Commissioners:

The following is a point-by-point refutation of claims made by the property owner/developer's historic resources consultant, Mark Hulbert. His report, which was initially dated 22 May 2020, was revised on 10 July 2020 following instructions by Planning staff.

In his evaluation of the LPO criteria for designation, Mr. Hulbert wrote the statements below that I numbered and placed between quotation marks. Under each quoted statement, I provide my response.

*3.24.110 Landmarks, historic districts and structures of merit--Designation--Criteria for consideration.*

*A. I. Architectural merit:*

*a. Property that is the first, last, only or most significant architectural property of its type in the region;*

- I. "The property type of the subject resource is multi-family residential, though the building was originally single-family, yet added to and simultaneously converted to multi-family beginning in the 1920s."

**Response:** Incorrect. Like many other Berkeley houses, the Payson House was converted to three apartments by the Miller family to meet housing shortages during World War II, but descendants of the same family later reunified the main floor into a single dwelling and lived there until recently. The landmark application records those changes.

2. “Under this criterion, while there are a number of nearby residences that date to the same or earlier years, one suffices – 1317 Shattuck St., a c1885 dwelling that stands within several blocks of the subject property (fig.4).”

**Response:** The Captain Maury House, 1317 Shattuck Avenue, was completely remodeled by John Hudson Thomas in 1922. There is no visible trace left of the original Maury House of 1885. Mr. Hulbert has failed to disprove the landmark application’s point that the Payson House is the oldest structure standing between Shattuck and San Pablo avenues north of Rose Street and south of Hopkins Street.

3. “And each of the other handful of nearby examples also exceed the architectural quality of the subject property and building (relevant examples include 1410 Bonita, 1892; 2001 Francisco, c1886-1889; 2043 Lincoln, c1889; 1418 Spruce, 1885; and 1536 Oxford, 1889 – figs.5-9).”

**Response:** By citing the examples above, Mr. Hulbert is comparing apples and oranges. All the structures cited by him were designed in architectural styles quite unlike that of the Payson House, and not one of them resembles the original appearance of the Payson House.

*b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder;*

4. “There is no evidence that the subject property or building embody any outstanding historic architectural qualities. Relative to its Victorian Style period of origin, its original character is not specifically known while, compared to numerous and readily identified others in the immediate vicinity, the extant building is a poor architectural example of the Victorian period and style.”

**Response:** Just because a specific “Style” label can’t be affixed to this house, and just because it can’t be compared to the more commonly seen styles of Victorian domestic architecture, doesn’t make the Payson House less Victorian or a poor architectural example. On the contrary, it makes it all the rarer and worthier of preservation.

5. “Further, no architect, engineer or designer has been directly identified so it must be presumed that the designer was the original owner (Payson) or builder (Lord & Boynton).”

**Response:** Lord & Boynton were master builders; they constructed the Peralta Park Hotel; the Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; and the recently designated Luttrell House, 2328 Channing Way. The Payson House is unique in design and appearance within Lord & Boynton's known surviving body of work, which comprises a total of five houses. Mr. Hulbert did not research Lord & Boynton. His initial report, dated 22 May 2020 and submitted in the project application packet on 26 May 2020, recorded the builder as "unknown." Mr. Hulbert is not an authority on the significance of Lord & Boynton.

*c. Architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric.*

6. "The subject building has no preservation-worthy characteristics or values relative to its neighborhood, where there exist other contemporaneous period houses and which, in addition to retaining single-family use as well as having direct street presence, are far more characteristic of their period."

**Response:** Incorrect. The Payson House is considerably older than all the other houses in the neighborhood. It was continuously inhabited by the Miller-Petrash family from the early 1940s until very recently, and is clearly recognizable as a specimen of its period. Indeed, the house has been generally referred to by local residents as "the old farm house."

7. "Two properties westward on Berryman (#1905, c1910) is a late-Victorian Shingle Style house with a distinctive range of materials and elements, while directly behind the subject property is another dignified late-19th century Shingle Style house (#1234 Bonita, c1893). Moreover, just to the north and across Bonita stands a large Shingle Style residence (#1231 Bonita, c1906 – figs.10-11), which is clearly the most distinctive historic architectural example in the immediate neighborhood."

**Response:** 1905 Berryman Street was built for Holland S. Payson in 1910. It is derivative of the William & Esther Payson House, which preceded it by 21 years. The cottage at 1234 Bonita Avenue is another Payson family home, built for Mrs. Payson's sister on the Paysons' parcel several years after the main house was erected. As for 1231 Bonita Avenue, ironically, it belongs to the person who gathered the petition signatures and submitted the landmark application for the Payson House. As the commissioners can read in her letter, she and her husband bought a house that had been altered and was in precarious shape. They restored it to its current

praiseworthy condition. So did several other neighbors with their own homes. These neighbors are unanimous in their belief that a less-than-immaculate condition is no excuse for demolition when restoration and adaptive reuse are an option.

*2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City;*

8. “The subject residential property has no direct association to cultural developments important to the City. Based on numerous news accounts, its original owners, the Paysons, were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home.”

**Response:** Mr. Hulbert seeks to diminish the historic and cultural significance of William Payson, an important co-founder and leader of the First Unitarian Church of Berkeley *while he lived at 1915 Berryman Street*. Payson co-founded the church in 1891, two years after this house was built, and continued in a leadership role on the West Coast until his death in 1914. His civic and political activities also took place while he was living in this house. As an aside, the Unitarian and Universalist churches did not merge until 1961. The Paysons were never associated with the Universalist Church.

9. “Furthermore, the reality is that, relative to the existing property and building, the Payson association has long been lost.”

**Response:** That could be said about any old building. Mr. Hulbert did not research the Paysons. His first submittal provided no information on the Paysons and made no mention of the Unitarian connection. Mr. Hulbert is in no position to arbitrate on the Payson association.

*4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military;*

10. “The subject building is neither preservation worthy nor would the property or building express or embody the history of Berkeley. The subject property and its building have no intact relationship to the intact late-19th and early-20th century residences directly adjacent and adjoining, several of which definitively express their historical context and period.”

**Response:** The above statement is meaningless, concocted by a gun-for-hire with a demonstrated history of sloppy scholarship.

*B. Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:*

*I. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.*

II. “A demonstrably poor as well as substantially altered former residence, the subject building has no preservation-worthy characteristics or values relative to its neighborhood, block or street frontages, which comprise a mix of single and multi-family residential uses and buildings. And of each type, there are numerous and far better examples.”

**Response:** “Demonstrably poor” and “former residence” are wild exaggerations. Until very recently, the Payson House was the longtime residence of the Miller-Petrash family. It was in livable condition at the time of its sale on 18 March 2020. Furthermore, it is eminently restorable and adaptable. The Berryman Street façade could easily be returned to its original appearance by reopening the front porch. There are no other houses of this type in the neighborhood, therefore better examples can’t be cited. There are also no other houses as old as the Payson house in the entire area.

*2. Specific criteria include, but are not limited to one or more of the following:*

*a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the City, or to the structure’s neighborhood, block, street frontage, or group of buildings.*

*b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.*

I2. “One Berkeley Landmark stands within the subject neighborhood, one block west of the subject property – the Maybeck House #I at 1300 MLK Jr. Way. The 1892-1902 Maybeck House is contemporaneous with the origins of the subject building. It also shares a mixed character, as neither of those original single-family residences are intact. Nonetheless, the significance of the

Maybeck House is contingent on its original owner and architect, Bernard Maybeck, a historic Berkeley architect with an international architectural reputation and without which the Maybeck House would not have mustered designation (notably, despite the Maybeck provenance, the vote to designate the property was won by the narrow margin of 5-4).”

**Response:** The Maybeck House No. I was built several years after the Payson house. Bernard and Annie Maybeck were members of the First Unitarian Church, and it is not unlikely that they were drawn to this neighborhood by the example of William and Etta Payson. Furthermore, in appearance, the Payson House is significantly closer to its origins than is the Maybeck House and far more recognizable as the house it used to be when built.

Summing up, the William H. & Esther L. Payson House is eminently worthy of preservation. It could be restored and repurposed for greater density without demolition or loss of historic character.

I was moved by the neighbors’ initiative to preserve this irreplaceable resource and their ability to organize quickly in the midst of the Covid-19 pandemic. They gathered 65 signatures in a matter of days and sent me numerous photos of the house, so I could describe it accurately. They documented the cutting of several coast live oaks on the property by the new owner prior to the arborist’s inspection. They confronted the surveyor, who visited the property in February 2020, before the oaks were cut down, and who admitted to having altered his map in response to his client’s “corrections.” They also communicated with neighbors of the developer’s previous project, at 2212 Tenth Street, and learned of his history of prevarication and underhanded dealings, as well as of the low-quality construction of that project.

I hope the commissioners, too, will appreciate this grass-roots effort to preserve the neighborhood’s character and designate the Payson House as a City of Berkeley Landmark or Structure of Merit.

Sincerely,



Daniella Thompson

**Crane, Fatema**

---

**From:** Deborah Kropp <travelbydeborah@earthlink.net>  
**Sent:** Sunday, July 19, 2020 2:42 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Subject:** The Payson House Landmark Support Letter

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Fatema Crane  
Landmark's Commission  
City of Berkeley

Dear Landmark's Commissioners,

I am writing you in **support of giving Landmark Status to The Payson House** at 1915 Berryman Street. Built in 1889, the Payson House is the oldest house in our area and has a fascinating history, with prominent and distinguished owners and builders. That its original owner, **William Payson**, was a leading force in the development of the First **Unitarian Church** of Berkeley is particularly of interest, as so many of the Unitarian Church members had a significant role in the development of our city.

It is appropriate that William Payson be honored, as he was a **political reformer** and lawyer who fought against corruption in politics. In her historic account of the Payson House, Daniella Thompson shared how William Payson "**sought after fair voter representation and was active in the anti-graft movement** that led to the prosecution of the corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef after the 1906 Earthquake and Fire." It is ironic how his **actions, based on strong moral values, contrast with those of the new property owner**, who has used dishonest means—through the **illegal removal of oak trees**—to promote his large development project on the site.

Charlotte Elizabeth Bodwell Morgan, who was part of the Carmel and Berkeley Art Colonies, was an early resident in the house. As an artist myself, I find it noteworthy that a **woman artist** be acknowledged.

It is intriguing that The Payson House was constructed by the **Lord & Boynton Construction Company**, which also built the Historic Peralta Park Hotel. **Architectural features**, still visible after two exterior modifications, tell a story of the Victorian influence in building so early in our Berkeley history. The Payson House is now the **only original structure** still standing at the intersection of Berryman Street and Bonita Avenue, due to the unfortunate demolition of other historic houses there and throughout the city in the 1950s, 1960s, and early 1970s.

Since those years, I had thought that Berkeley homes were protected from being demolished and replaced by multiple units because of the 1973 Neighborhood Preservation Ordinance. Thus, I was shocked to hear of the demolition plans for The Payson House by the current developer.

My husband, Alan Kropp, and I have lived across the street from The Payson House since 1987, when our three children were very young. I have loved looking over at the old wood-shingled, rustic Payson House, sheltered by a forest of oak trees and other plants. Its presence has given a country feel to our block. When the property was recently sold, I was looking forward to the house being renovated by the new owners.

The Payson House does not need to be torn down—it can and should be restored. We bought our home at 1231 Bonita Avenue in December of 1986; it was in a state that needed major renovation work (following two fires and

funky, odd additions, structural damage, a huge aluminum window in front, and deferred maintenance throughout, etc.). It was exciting and challenging to bring our home back to life, to make it beautiful. A number of us on Bonita Avenue have renovated old homes and find that process edifying. **There are architectural features on older houses that, when renovated, give a grace and beauty to a house that one cannot achieve with modern construction.** To have an historic dwelling like The Payson House demolished would be tragic and heartbreaking. To me, it would be like losing an old friend.

One of our neighbors has shared how three people he took by The Payson House when it was for sale wanted to purchase and renovate it. He also shared some interesting ideas as to how it could be restored and adjusted in minor ways that would keep the historic integrity of the original architecture, while also allowing for more housing units.

In this time of restrictions due to the coronavirus, I was surprised by how easy it was to get **65 signatures on a Landmarks Petition** to have The Payson House designated as a Landmark. Concerned neighbors and others made the extra effort to come to my front porch to sign the petition. Many residents in this community strongly support Landmark Status for The Payson House. We ask that you do so as well.

Best regards,

Deborah Kropp



Planning and Development Department  
Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Floor  
Berkeley, CA 94704

# LANDMARKS PRESERVATION COMMISSION NOTICE OF PUBLIC HEARING

**SUBJECT:** 1915 BERRYMAN STREET  
LMIN2020-0003

**WHEN:** Thursday, August 6, 2020.  
Meeting starts at 7:00 pm.

**WHERE:** *This meeting will be conducted exclusively through videoconference and teleconference; there will not be a physical meeting location available. Please see Commission webpage for details.*

«NAME1»

«NAME2»

«ADDRESS1» «ADDRESS2»



**SUBJECT:** 1915 Berryman Street, (LMIN2020-0003), for consideration of City of Berkeley Landmark or Structure of Merit status for a residential property and main building constructed in 1889.

**CEQA STATUS:** Exempt from environmental review pursuant to SEQA Guidelines Section 15061.

**NOTICE CONCERNING  
YOUR LEGAL RIGHTS:**

If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Commission at, or prior to, the public hearing.

**All persons are welcome to attend the virtual hearing and will be given an opportunity to address the Commission. Comments may be made verbally during the public hearing and/or in writing before the hearing. The Commission may limit the time granted to each speaker.**

Send written comments to the Land Use Planning Division (Attn: LPC Secretary), 1947 Center Street, 2nd Fl., Berkeley, CA 94704 or via e-mail to: [lpc@cityofberkeley.info](mailto:lpc@cityofberkeley.info). For further information, visit the Commission website, linked below, or call the Land Use Planning division (510) 981-7410.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418(V) or 981-6347(TDD) at least three business days before the meeting date.

PLEASE NOTE: If your contact information is included in any communication to the Board, it will become part of the public record, and will be accessible on the City Website.

The agenda and project files for this meeting will be available online 3 days prior to this meeting at:

<http://www.cityofberkeley.info/landmarkspreservationcommission>

Mail and Post Date: July 27, 2020

1915 Berryman St

253 notices

mailed out 07-27-20

NAME1	NAME2	ADDRESS1	ADDRESS2
Bonita Avenue Neighborhood Association	1301 BONITA AVE APT 3	BERKELEY, CA	94709
Josephine Street 1200 Block Group	1222 JOSEPHINE ST	BERKELEY, CA	94703
North East Berkeley Association	P.O. BOX 7477	BERKELEY, CA	94707
Rose-King Neighborhood Community Organization	1340 JOSEPHINE ST	BERKELEY, CA	94703
Schoolhouse-Lincoln Creeks Watershed Neighborhood Assoc.	1546 MILVIA ST	BERKELEY, CA	94709
University of California Berkeley Facilities Services	A&E Building, Room 300	BERKELEY, CA	94720-1382
Urban Creeks Council	861 REGAL RD	BERKELEY, CA	94708
Bananas Inc.	5232 CLAREMONT AVE, OAKLAND CA 94618	OAKLAND, CA	94618
Berkeley Central Library	2090 KITTREDGE ST	BERKELEY, CA	94704
Adams Broadwell Joseph & Cardoza	601 GATEWAY BLVD. Su 1000	SO SAN FRANCISCO CA	94080
MILLER GENE I & MERRITT SHARYNE TRS	6555 CASITAS PASS RD	CARPINTERIA CA	93013
LOCKWOOD GWYNN	1934 BERRYMAN ST	BERKELEY CA	94709
CANFIELD GEORGE F & SUZEETE H TRS	1809 MARIN AVE	BERKELEY CA	94707
PAI PEARL Z & ROSS ALAN D	1304 MILVIA ST	BERKELEY CA	94709
LOEB DONALD R & LOZANO CARRIE M ETAL	1306 MILVIA ST	BERKELEY CA	94709
LIU JOHN K & SZEYUN T TRS	1310 MILVIA ST	BERKELEY CA	94709
COMMON AREA OF PM 7967 42 THRU 45	BONITA AVE	BERKELEY CA	94709
KELLEY GUY O & KATHY G	5580 FERNHOFF RD	OAKLAND CA	94619
CLARKE ELEANOR C TR	1309 BONITA AVE	BERKELEY CA	94709
WRIGHT JOHN C & HEWITT KATHERINE I	1311 BONITA AVE	BERKELEY CA	94709
GESSOW MILES J & GALBLUM LISA	1315 BONITA AVE	BERKELEY CA	94709
REILLY PATRICK & WINIFRED M TRS	1314 MILVIA ST	BERKELEY CA	94709
COMMON AREA OF PM 7967 42 THRU 45	1301 BONITA AVE	BERKELEY CA	94709
HOROWITZ ELISSA K	1319 BONITA AVE	BERKELEY CA	94709
NAWI DAVID TR	1228 MILVIA ST	BERKELEY CA	94709
GOLDSTEIN JOHN & ROBERSON HOLLY	1933 BERRYMAN ST	BERKELEY CA	94709
MAHBUBIAN MOHSEN & BRIMM YURIKO	1225 BONITA AVE	BERKELEY CA	94709
MAHBUBIAN MOHSEN & BRIMM YURIKO	1221 BONITA AVE #B	BERKELEY CA	94709
JACKSON ANDREW D III & YAMADA TAYEKO TRS	1224 MILVIA ST	BERKELEY CA	94709
HARTMAN LAWRENCE & MARIA	1937 BERRYMAN ST	BERKELEY CA	94709
EDLINGER JOSEF K & CAROL J TRS	1741 SPRINGBROOK RD	LAFAYETTE CA	94549
GIRARD JUSTIN & CARTWRIGHT JOANNE R	969 ORDWAY ST	ALBANY CA	94706
LEMKIN MARK A & WALKER LAURA L	1220 MILVIA ST	BERKELEY CA	94709
HALPIN WILLIAM E TR	46 HIGHGATE RD	KENSINGTON CA	94707
LIPNOSKY PROPERTIES LP	PO BOX 11787	BERKELEY CA	94712
TAYLOR JEROME E & PILLOW MARGARET TRS	1235 BONITA AVE	BERKELEY CA	94709
CALLAGHAN RACHEL TR & REICH MARTIN B TR	1236 MILVIA ST	BERKELEY CA	94709
<b>KROPP ALAN L &amp; DEBORAH E TRS</b>	<b>1231 BONITA AVE</b>	<b>BERKELEY CA</b>	<b>94709</b>
ZAREH ALI R & ALBUKHARY SHARIFAH M	1227 BONITA AVE	BERKELEY CA	94709
OSBORNE ALEX R & JENNIFER D TRS	1236 BONITA AVE	BERKELEY CA	94709
FRUHWIRTH STEVEN A & TOKUMOTO ANNA M	1243 M L KING JR WAY	BERKELEY CA	94709
HAIMS CHARLES & WEINREB ELLEN TRS	1909 BERRYMAN ST	BERKELEY CA	94709
SCHMIDT PETER TR	PO BOX 27325	SAN FRANCISCO CA	94127

1915 Berryman St

253 notices

mailed out 07-27-20

WILSON DONNA TR & MILLER CARLOS A & SMITH D Y ETAL	22328 S COLORADO RIVER	SONORA CA	95370
ELLIS CHARLES A & DOCTOR NANCY M	1251 M L KING JR WAY	BERKELEY CA	94709
LEONG LINDA R TR	1247 M L KING JR WAY	BERKELEY CA	94709
WONG RODNEY Y	1227 THE ALAMEDA	BERKELEY CA	94709
OSBORNE JUSTINE E	1234 BONITA AVE	BERKELEY CA	94709
TAMBURRINO MARIA	1235 THE ALAMEDA	BERKELEY CA	94709
DONAHUE CLEMENT TR	1905 BERRYMAN ST	BERKELEY CA	94709
WONG KATHLEEN J & STEVEN L	3959 LA DONNA AVE	PALO ALTO CA	94306
HANNUS RALPH E TR	1226 BONITA AVE	BERKELEY CA	94709
WADMAN JOHN C & HELEN B TRS	1216 BONITA AVE	BERKELEY CA	94709
REICH ROBERT B & FLAHERTY PERIAN	1230 BONITA AVE	BERKELEY CA	94709
MORRISON JANE E TR	1241 M L KING JR WAY	BERKELEY CA	94709
BLUM BRIAN	1239 M L KING JR WAY	BERKELEY CA	94709
NAVARRETE IGNACIO E & BRADBURY HESTER A TRS	1229 THE ALAMEDA	BERKELEY CA	94709
ADAMS RAYMOND G & JO A	1224 BONITA AVE	BERKELEY CA	94709
WEISS ERNESTINE TR	1209 W CALIFORNIA AVE	MILL VALLEY CA	94941
KRAMER LAURA	1309 MARTIN LUTHER KING J	BERKELEY CA	94709
CHOUHDURY RANI D	1305 M L KING JR WAY	BERKELEY CA	94709
CRAVENNEELEY ROBERT E & ERNEST D	1307 M L KING JR WAY	BERKELEY CA	94709
LEE KUO F TR	PO BOX 6322	ALBANY CA	94706
HYATT VERNA W	1312 BONITA AVE	BERKELEY CA	94709
REDDY HANUMANDLA R & HANUMANDLA J TRS	1751 MUSCAT PL	HANFORD CA	93230
YUAN ROBERT K & YUMI TRS	160 ARLINGTON AVE	KENSINGTON CA	94707
SPERBER DANIEL T TR	1310 BONITA AVE	BERKELEY CA	94709
SPERBER DEBORAH	1308 BONITA AVE	BERKELEY CA	94709
LEKAS CLEO & EULA ETAL	1512 PARK AVE	EMERYVILLE CA	94608
LOUIE DAVID G & WENDY T	906 EUCLID AVE	BERKELEY CA	94708
MAZANDARANI BEHROUZ & MESHKIN M	1524 CAMPUS DR	BERKELEY CA	94708
LEE EUGENE H & DEANNA K TRS	806 JACKSON ST	ALBANY CA	94706
YOUNG HARLAN & CHOO DIANE Y	1843 BERRYMAN ST	BERKELEY CA	94703
SPITZER JOHN & FLEGAL KATHERINE M TRS	1238 M L K JR WAY	BERKELEY CA	94709
HARROW HERMAN & NOREEN TRS	1104 ALTA MESA RD	MONTEREY CA	93940
MURPHY TIMOTHY S & SLOAN SARA M	1248 M L KING JR WAY	BERKELEY CA	94709
SYKES LORRAINE TR	1240 MARTIN LUTHER KING J	BERKELEY CA	94709
STRAUSS DOUGLAS & FALSETTO ALICIA TRS	1244 M L KING JR WAY	BERKELEY CA	94709
PETROV ALISA J	1232 MARTIN LUTHER KING J	BERKELEY CA	94709
OCCUPANTS	1301 BONITA AVE 2	BERKELEY CA	94709
OCCUPANTS	1936 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1936 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1936 BERRYMAN ST C	BERKELEY CA	94709
OCCUPANTS	1936 BERRYMAN ST D	BERKELEY CA	94709
OCCUPANTS	1936 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1305 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1305 BONITA AVE COM	BERKELEY CA	94709

1915 Berryman St

253 notices

mailed out 07-27-20

OCCUPANTS	1301 BONITA AVE COM	BERKELEY CA	94709
OCCUPANTS	1933 1/2 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1225 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1223 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1221 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1221 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1224 MILVIA ST A	BERKELEY CA	94709
OCCUPANTS	1939 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1941 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1943 BERRYMAN ST C	BERKELEY CA	94709
OCCUPANTS	1943 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1945 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1945 BERRYMAN ST C	BERKELEY CA	94709
OCCUPANTS	1939 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1939 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1943 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1945 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1242 MILVIA ST	BERKELEY CA	94709
OCCUPANTS	1242 MILVIA ST B	BERKELEY CA	94709
OCCUPANTS	1240 MILVIA ST A	BERKELEY CA	94709
OCCUPANTS	1240 MILVIA ST B	BERKELEY CA	94709
OCCUPANTS	1242 MILVIA ST A	BERKELEY CA	94709
OCCUPANTS	1240 MILVIA ST	BERKELEY CA	94709
OCCUPANTS	1945 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1240 MILVIA ST C	BERKELEY CA	94709
OCCUPANTS	1935 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1232 MILVIA ST	BERKELEY CA	94709
OCCUPANTS	1231 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1911 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1911 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1913 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1911 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1913 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1913 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1915 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1915 BERRYMAN ST C	BERKELEY CA	94709
OCCUPANTS	1915 BERRYMAN ST A	BERKELEY CA	94709
OCCUPANTS	1915 BERRYMAN ST B	BERKELEY CA	94709
OCCUPANTS	1245 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1227 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1234 1/2 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1235 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1273 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1271 M L KING JR WAY	BERKELEY CA	94709

1915 Berryman St

253 notices

mailed out 07-27-20

OCCUPANTS	1275 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1277 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1226 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1229 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1303 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1309 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 101	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 203	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 107	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 103	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 206	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 207	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 308	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 302	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 303	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 304	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 305	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 306	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 307	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 105	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 108	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 202	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 205	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 208	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 301	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 102	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 104	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 106	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 201	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST 204	BERKELEY CA	94709
OCCUPANTS	1910 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1902 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1301 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1900 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 9	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 3	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 4	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 5	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 6	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 7	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 8	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 1	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY 2	BERKELEY CA	94709
OCCUPANTS	1313 M L KING JR WAY	BERKELEY CA	94709

1915 Berryman St

253 notices

mailed out 07-27-20

OCCUPANTS	1315 M L KING JR WAY 5	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 7	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 4	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 6	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 8	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 9	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 1	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 10	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 2	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY 3	BERKELEY CA	94709
OCCUPANTS	1315 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 4	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 7	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 1	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 2	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 3	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 5	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY 6	BERKELEY CA	94709
OCCUPANTS	1300 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY B	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2C	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2D	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2E	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2F	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1C	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1D	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1E	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1F	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2A	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 2B	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1A	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY 1B	BERKELEY CA	94709
OCCUPANTS	1306 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1845 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1845 BERRYMAN ST 2	BERKELEY CA	94709
OCCUPANTS	1845 BERRYMAN ST 1	BERKELEY CA	94709
OCCUPANTS	1845 BERRYMAN ST 3	BERKELEY CA	94709
OCCUPANTS	1234 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1234 M L KING JR WAY A	BERKELEY CA	94709
OCCUPANTS	1244 THE ALAMEDA	BERKELEY CA	94709
OCCUPANTS	1301 BONITA AVE 3	BERKELEY CA	94709
OCCUPANTS	0 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 9	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 6	BERKELEY CA	94709

1915 Berryman St

253 notices

mailed out 07-27-20

OCCUPANTS	1311 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 7	BERKELEY CA	94709
OCCUPANTS	1236 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1308 MILVIA ST	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 1	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 10	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 2	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 3	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 4	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 5	BERKELEY CA	94709
OCCUPANTS	1311 M L KING JR WAY 8	BERKELEY CA	94709
OCCUPANTS	1224 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1224 BONITA AVE B	BERKELEY CA	94709
OCCUPANTS	1308 BONITA AVE 2	BERKELEY CA	94709
OCCUPANTS	1990 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1240 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1301 BONITA AVE 1	BERKELEY CA	94709
OCCUPANTS	1301 BONITA AVE 4	BERKELEY CA	94709
OCCUPANTS	1307 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1232 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1311 BONITA AVE A	BERKELEY CA	94709
OCCUPANTS	1311 BONITA AVE B	BERKELEY CA	94709
OCCUPANTS	1238 M L KING JR WAY	BERKELEY CA	94709
OCCUPANTS	1931 BERRYMAN ST	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 101	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 203	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 202	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 102	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 103	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 201	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 301	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 302	BERKELEY CA	94709
OCCUPANTS	1275 BONITA AVE 303	BERKELEY CA	94709



Planning and Development Department  
Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> fl.  
Berkeley, CA 94704-1113

# LANDMARKS PRESERVATION COMMISSION NOTICE OF PUBLIC MEETING

**WHEN:** August 6, 2020  
Meeting starts at 7:00 p.m.

**WHERE:** *This meeting will be conducted exclusively through videoconference and teleconference; there will not be a physical meeting location available. Please see the Landmarks Preservation Commission webpage for details.*

**SUBJECT:** 1915 Berryman Street  
Landmark Initiation Application LMIN2020-0003 to consider granting City of Berkeley Landmark or Structure of Merit designation status for a residential property and main building constructed in 1889

All persons are welcome to attend the virtual hearing and will be given an opportunity to address the Board. Comments may be made verbally at the public hearing and/or in writing before the hearing. The Board may limit the time granted to each speaker.

**Send written comments to:**

Landmarks Preservation Commission Secretary  
City of Berkeley Land Use Planning Division  
1947 Center Street, 2<sup>nd</sup> Fl. / Berkeley, CA 94704  
or email to: [LPC@CityofBerkeley.info](mailto:LPC@CityofBerkeley.info).

To ensure inclusion in the packet, submit correspondence **seven (7)** days prior to the hearing. For any correspondence submitted less than seven days before the meeting, submit 11 copies which staff will deliver to the Commission at its meeting.

**PLEASE NOTE:** Email addresses, names, street addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, it will become part of the public record, and will become accessible on the City Website.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date.

**NOTICE CONCERNING YOUR LEGAL RIGHTS:**

If you challenge the decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the Commission at or prior to, the public hearing.

The agenda and project files for this meeting will be available online 3 days prior to this meeting at:  
<http://www.cityofberkeley.info/ContentDisplay.aspx?id=13016>

Post Date: July 27, 2020

**Crane, Fatema**

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**From:** Lee Bishop <bishoplm@gmail.com>  
**Sent:** Tuesday, August 4, 2020 12:42 PM  
**To:** Landmarks Preservation Commission  
**Subject:** Payson House

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hello,

I have read the report on the Payson House and I do not understand why that house should be landmarked. I think landmarks should be more selective than that. Please do not landmark this house.

Thank you,  
Lee Bishop  
District 1

**Crane, Fatema**

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**From:** Kevin Burke <kevin@burke.dev>  
**Sent:** Tuesday, August 4, 2020 11:16 AM  
**To:** Landmarks Preservation Commission  
**Cc:** darrell@cayimby.org; northberkeleynow@gmail.com  
**Subject:** Oppose landmarking proposal for Berryman St.

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hi,  
In general it is a bad idea to suddenly decide things are worth landmarking right before someone proposes doing something more useful with the sites. The process of landmarking should be done once a decade and take the whole city into consideration, not just evaluate projects on an adhoc basis once someone decides they want to do something else with the land, and drive up development costs. On those grounds I oppose this proposal. I also think the house looks like a dump.

This is the Northbrae neighborhood which was founded as a whites-only neighborhood by the former President of the Sierra Club. To this day, the neighborhood is whiter than Berkeley as a whole. This neighborhood has not had low-income housing approved in decades.

We are in the middle of a national conversation, prompted by the president, about whether low income people should be able to live in rich suburbs and have access to the same opportunities as those rich residents. Please think carefully about whether you want to be on the same side of this issue as Donald Trump.

Thanks,  
Kevin

**Crane, Fatema**

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**From:** Diego Aguilar-Canabal <d.aguilarcabal@gmail.com>  
**Sent:** Tuesday, August 4, 2020 11:37 AM  
**To:** Landmarks Preservation Commission  
**Subject:** DO NOT landmark 1915 Berryman

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear commissioners,

I write to you as a neighbor in North Berkeley opposing the proposed landmarking of 1915 Berryman St, a completely unremarkable bungalow in an affluent neighborhood with an unacceptable shortage of affordable housing.

It hardly needs to be restated that the neighborhood skews largely wealthy, white, and housing-secure, while the Bay Area at large reels from a dearth of affordable housing. As every city councilmember who appointed you all will attest, Berkeley has the most severe need for housing units restricted to lower-income households, including many of the city's service workers who commute from very far away during normal times, and are among the hardest-hit by the current economic crisis. I consider all of us blessed to live in a city that manifestly **does not** suffer from an acute shortage of historic resources.

permitting **one** deed-restricted home for Very Low-Income households would allow *one* lower-income family to enjoy Berkeley's community and have a life enriched by its many historic resources-- to say nothing of nine other households who could afford to rent the other market-rate apartments in this building, but could not afford to buy one of the million-dollar century-old bungalows in the neighborhood such as this one proposed for landmarking. if Berkeley is to be a living, inclusive community that promotes progressive values, it must not preserve the demographics of its segregated neighborhoods under the auspices of "historic" aesthetics.

I trust you do not consider enforcing segregation to be your mandate as commissioners, and you will make the correct choice to reject this landmarking proposal.

Thanks,

--

Diego Aguilar-Canabal  
(240) 743-6340

**Crane, Fatema**

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**From:** Andrew Fox <ajfox61@gmail.com>  
**Sent:** Tuesday, August 4, 2020 4:48 PM  
**To:** Landmarks Preservation Commission  
**Cc:** Berkeley Mayor's Office  
**Subject:** Please Don't Landmark 1915 Berryman St

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hi there,

I am a Berkeley homeowner writing to express my deep concern with the LPC's intent to designate 1915 Berryman St as a historic landmark. As a local resident concerned about the skyrocketing cost of housing in our community, I believe that the ten new units that have been proposed for this property are critical for addressing Berkeley's housing shortage, which has driven up our city's cost of living to an unacceptable degree (especially in the neighborhood of North Berkeley where this property resides). I join the majority of my fellow Berkeleyans in urging the LPC to prioritize building new homes over addressing specious concerns about neighborhood character—many of which are raised by the very same affluent homeowners who have unfairly profited from North Berkeley's restricted housing supply.

Thank you for your consideration.

Respectfully,  
Andrew Fox

**Crane, Fatema**

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**From:** Sage Vanden Heuvel <sagevh@gmail.com>  
**Sent:** Tuesday, August 4, 2020 12:00 PM  
**To:** rreich@berkeley.edu  
**Cc:** Landmarks Preservation Commission  
**Subject:** Payson House and California's Housing Crisis

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Landmark Preservation Commissioners,

The Payson House at 1915 Berryman Street is a crumbling old house in the city of Berkeley. It is not a historic landmark. The designer is unknown, the builder is unremarkable, the house has been remodeled multiple times since it was first constructed, and the house has no unique architectural features. It was a cheap construction when it was made, and it is falling apart now. In fact, the only semi-unique aspect of this house is that it is old.

There is simply no justification to declare this rundown old house a "landmark". For too long, Berkeley and other municipalities have abused historic preservation and landmark rules to block the teardown of tired old properties, all in the name of NIMBYism and exclusion. I understand that the current owners of the Payson House intend to erect an apartment building with ten units. This would be ten homes for families in a city and state experiencing a crippling housing shortage and rampant homelessness.

Instead of preserving a falling down old farmhouse that is riddled with mold and termites, please consider the impact of your actions. It is decisions by those seeking to block progress, for the past 40 years, that have contributed to the affordability crisis in California. Do not give this house "landmark" status -- you would be making a mockery of yourselves, of Berkeley, and of the entire landmarking process.

If you care about the citizens of Berkeley and the fight against climate change, please refuse to designate this property an historic landmark. It is not a landmark and it is not historic. It is simply old. It is time for something new that will allow more families a place to live.

Thanks,  
Sage R. Vanden Heuvel

**Crane, Fatema**

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**From:** Brad Johnson <johnson.bradley@gmail.com>  
**Sent:** Tuesday, August 4, 2020 12:17 PM  
**To:** Landmarks Preservation Commission  
**Subject:** Landmarking is not a way to stop housing

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

I am a 14-year Berkeley resident, aspiring homeowner, and parent of a new BAM kindergartener. I am writing to strongly oppose landmarking 1915 Berryman.

For some time in Berkeley some folks have had the idea that they get to choose who gets to move to what neighborhoods. This was a problem in generations past, when the choice was to exclude black people.

Now the choice is to exclude renters. Interestingly, if you look at the old redlining maps of Berkeley, and look at current maps of Berkeley demographics, not much has changed.

Why? Because we continue to abuse processes like landmarking to prevent new housing from being constructed. This limits the supply of housing, and hurts pretty much everybody but existing property owners.

Please do not let the landmarking process be abused for the financial gain of a few at the expense of the many.

**Crane, Fatema**

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**From:** Forest Kaser <forestkaser@gmail.com>  
**Sent:** Tuesday, August 4, 2020 11:34 AM  
**To:** Landmarks Preservation Commission  
**Subject:** Strongly oppose landmarking 1915 Berryman

**WARNING:** This email originated outside of City of Berkeley.

**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

I'm writing to express my strong opposition to item 5 on the 8/5 agenda: landmarking 1915 Berryman St.

That action would reinforce the structural racism embedded in historical Berkeley zoning policy. As a Berkeley resident, this is against my values and I oppose it in every way.

**Crane, Fatema**

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**From:** David Kellogg <david.kellogg@gmail.com>  
**Sent:** Tuesday, August 4, 2020 2:40 PM  
**To:** Landmarks Preservation Commission  
**Subject:** 1915 Berryman St.

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

1915 Berryman st. should NOT be landmarked.

The critical need for more housing outweighs any historical value of this property, of which there doesn't appear to be much anyways. The landmarking is a blatant attempt by the neighbors to prevent the landowner from building homes allowed under our zoning.

Please deny the landmarking.

Please also refuse consider overturning the staff's decision that this landmarking application is CEQA-exempt. As approving this landmarking will preclude urban infill and thus encourage sprawl, increase VMT, etc., this landmarking is harmful to the environment.

Best,  
David

**Crane, Fatema**

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**From:** Daniel Killian <daniel.killian@gmail.com>  
**Sent:** Tuesday, August 4, 2020 1:53 PM  
**To:** Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmarking

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hello,

I'm writing in to voice my opposition to the landmarking of 1915 Berryman.

I was born and raised in North Berkeley and watched it evolve from a predominantly white and wealthy neighborhood into an exclusively white and wealthy neighborhood. The predominance of single family zoning combined with community opposition to any sort of non-single family development has ensured that property values will continue to skyrocket in North Berkeley, thus pricing out anyone who is not extraordinarily wealthy.

Building this ten unit development will not solve the housing crisis, but the housing crisis will never be solved if we don't begin to support increased density in wealthy neighborhoods with good access to public transportation. I'm maddened by the hypocrisy of North Berkeley residents who oppose cities becoming only accessible to the wealthy in theory, but not in practice enough to be minorly inconvenienced by the construction of a small apartment building in their neighborhood.

There is nothing historic about the Payson House. If you google "Payson House Berkeley", nothing relevant shows up. There is nothing interesting architecturally about said house - it's just old! It's not even visible from the street!

Thank you for your time and consideration.

Best,

Daniel Killian

**Crane, Fatema**

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**From:** Darrell Owens <darrellowens225@gmail.com>  
**Sent:** Tuesday, August 4, 2020 11:22 AM  
**To:** Landmarks Preservation Commission  
**Subject:** 1915 Berryman Street Landmarking

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hello,

I'm the co-executive of East Bay for Everyone and I'm here to oppose the landmarking of this house ahead of a proposed project for 10 new homes including 1 very low income home. I have lived on the adjacent block of this property since 2006 and have long been dismayed by the lack of housing in the neighborhood. The house itself is not of historic significance.

Lets for the record state this area's demographics:

**-74% white, 1% Black (i'm part of that 1%)**  
**-55% of the district has a Masters Degree or higher.**  
**-A relative majority of the neighborhood, 42%, makes more than \$150,000 a year.**

I love this neighborhood for its plentiful trees, beautiful mix of 60's era apartments, brownshingles and Victorians, access to 4-bus lines and a nearby North Berkeley BART station, 3 large grocery stores and a high quality Middle School and Elementary. We should use opportunities like this to allow more people to live in the neighborhood. After years of District 5 producing virtually no homes in the city's pipeline, to add 10 new tenants here including 1 very low income household would be fantastic. Access to this neighborhood will lift these folks up into the Middle Class, and will help undo the historic redlining and downzoning that has kept Black and brown people out this neighborhood.

Lastly, because the character of the neighborhood is important, city staff should spend more time focusing on how to preserve those trees rather than the rather unremarkable house for which I have never thought was either masterful or historic despite its age in my 14 years living here. Trees are a very important fixture of the neighborhood for which I enjoy, multi-million dollar "landmarked" houses are something I can not.

Thank you

--

Darrell Ben-Lee Owens

Policy and Data Analyst | Housing and Public Transit Activist | Berkeley, CA

**Crane, Fatema**

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**From:** John J. Parman <j2parman@gmail.com>  
**Sent:** Tuesday, August 4, 2020 3:18 PM  
**To:** Landmarks Preservation Commission; Crane, Fatema  
**Cc:** Droste, Lori  
**Subject:** Re: 1915 Berryman Avenue

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Commissioners,

I am writing to support the preservation of 1915 Berryman Avenue and to oppose its redevelopment as a 10-unit residential building.

The real issue is not the house itself, but the residential neighborhood of which it's part. The proposal to redevelop the site at this density is precisely the kind of move that gives densification a bad name. The district to which the neighborhood belongs has ample opportunities for developers to add density without destroying existing houses, many of historic and aesthetic merit, or disrupting their immediate neighborhoods. The likely sites for this are much closer to transit routes than 1915 Berryman is, and can be redeveloped under current zoning with many more units, including affordable ones.

Both Berkeley and the region are ahead of RHNA targets for market-rate housing. The project at 1915 Berryman is 90 percent market rate. Berkeley doesn't need more market-rate housing - it needs affordable housing. This project won't provide it.

I'm not the only one making the argument that commercial areas within districts are the places to focus redevelopment. I refer you to Peter Calthorpe, a leading urban planner who lives in Berkeley.

<https://www.livablecalifornia.org/urbanist-peter-calthorpe-opposes-wieners-bills-wants-to-build-housing-in-old-commercial-strips/>

The heart of his argument is that the shortage of affordable housing cannot be solved by tearing down existing housing and wrecking established residential neighborhoods. This is a canard carefully nurtured by REITs and developers. Their targets are the big cities, but unfortunately this neighborhood will be collateral damage if you let it happen.

Sincerely,

John Parman  
1428 Arch St., 94708

**Crane, Fatema**

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**From:** Trevor Wu <trevorhwu@berkeley.edu>  
**Sent:** Tuesday, August 4, 2020 6:18 PM  
**To:** Landmarks Preservation Commission  
**Subject:** Opposition to the Landmarking of Payson House

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Landmark Preservation Commissioners,

I am a current student at UC Berkeley and I currently live on LeConte Ave. Finding housing in Berkeley is one of the most challenging and stressful times for UC Berkeley students in no small part because of the extremely constrained supply of housing within the city. As a result, landlords can charge exorbitant rents for low-quality and overcrowded apartments. I think designating this house as a landmark, which would further constrain the supply of housing in Berkeley, would be counterproductive to the housing crisis.

--

**Trevor H. Wu**  
UC Berkeley | 2021

**Crane, Fatema**

---

**From:** Jennifer Yip <jennifer.lang.yip@gmail.com>  
**Sent:** Tuesday, August 4, 2020 9:54 PM  
**To:** Landmarks Preservation Commission  
**Subject:** 1915 Berryman St. Landmarking, opposition

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hi,

I am writing to oppose the landmarking of this building. I am a resident of the neighborhood and live around the corner of this building on the 1300 block of Milvia.

I think this neighborhood would do well to add more housing, as this would add 10 new homes, including 1 very low income home. I have lived in this area for several years and I also appreciate the old-style houses and apartments and the large trees, but providing housing to folks is more important than preserving one building amongst so many. I have passed by 1915 Berryman many times and I do not believe it is of historic significance.

This is a great neighborhood, for its beauty and for its close proximity to grocery stores, BART, and restaurants. The city of Berkeley should be providing more opportunities to a neighborhood like this. Preserve this neighborhood's beauty by allowing more folks to enjoy it, and preserve the beautiful trees.

Thank you,  
Jennifer Yip

**Crane, Fatema**

---

**From:** Julia Zuckerman <julia.zuckerman@gmail.com>  
**Sent:** Tuesday, August 4, 2020 12:33 PM  
**To:** Landmarks Preservation Commission  
**Subject:** In opposition to landmarking 1915 Berryman St

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Commissioners,

I'm a North Berkeley (Westbrae) resident urging you to vote no on landmarking 1915 Berryman St. This is a completely unremarkable Berkeley house. The record makes clear that it has no particular architectural or historical significance and provides no broader public value. It's just one of thousands of old houses in Berkeley, expanded and modified multiple times over the decades so that it no longer even resembles its original form.

It's also clear in the record that the only reason this house was even proposed for landmarking is that some neighbors don't want an apartment building to be built to replace it. That is not a valid reason to landmark a building, though I understand it's been tried many times in Berkeley and elsewhere. I am very concerned about this tactic and its potential implications for my own nearby neighborhood, which is also full of unremarkable 1920s houses. Are we going to have to waste your time and ours fighting specious landmarking claims anytime anyone wants to build something new in the neighborhood?

Since this is not the zoning board or planning commission, I won't elaborate on why a modestly sized apartment building would be a benefit to this neighborhood - a neighborhood with many pleasant mid-size apartment buildings, good transit access, and an urgent need for more homes that don't require a \$200,000+ down payment. Your role, as I understand it, is only to decide if this particular house is worthy of city landmark status. It is obviously not.

Thank you,  
Julia Zuckerman  
North Berkeley resident

**Crane, Fatema**

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**From:** saritafain@gmail.com  
**Sent:** Thursday, August 6, 2020 8:48 AM  
**To:** Landmarks Preservation Commission  
**Subject:** 1915 Berryman st

WARNING: This email originated outside of City of Berkeley.  
DO NOT CLICK ON links or attachments unless you trust the sender and know the content is safe.

Dear Landmark Preservation Commission,

We write regarding the proposed historic designation of 1915 Berryman st. We live at 1156 Sutter st, just a couple blocks away.

We have rarely noticed this building, mostly because it's almost completely hidden by tall, unkempt hedges. We've noticed the dilapidated, rotting shell of a parking garage many times thinking how it diminishes the vibrant feel of the street, where the apartment balconies are lovingly filled with well tended plants, bicycles, and political signs. Now we hear my neighbors want to declare this an historic property.

Your staff concludes that "the property at 1915 Berryman may not exhibit sufficient features or associations for designation as a City Landmark or Structure of Merit." We ask you to seriously consider the implications of declaring this hidden property historic, thereby setting strong precedent to continue halting all housing growth in our neighborhood. This will further harm efforts to build more housing for a growing population.

It seems there's always a reason not to build: it will take away parking, doesn't fit with the neighborhood, shades my garden, doesn't provide the right "community benefits", and preservation.

We love the character of our neighborhood. We want to create more housing in our neighborhood, giving more people an opportunity to share and build that character. Those of us lucky enough to call ourselves Berkeley homeowners, in an historically redlined community, need to pay back all the privileges and support that got us there.

Sincerely,  
Sara Fain and Jaime Orozco (locofosh@gmail.com)

**Crane, Fatema**

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**From:** Deborah Kropp <travelbydeborah@earthlink.net>  
**Sent:** Wednesday, August 5, 2020 7:17 PM  
**To:** Crane, Fatema; Landmarks Preservation Commission  
**Cc:** 'Chris Adams'; 'Daniella Thompson'  
**Subject:** 1915 Berryman Street Drawing for Hearing  
**Attachments:** IMG\_5741.jpg

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Dear Fatema,

Today I did a drawing [see the attachment] of what the Payson House could look like if the porch was opened up on the south and west facing sides and solid stairs placed in front. Could you please forward it on to the commissioners?

You can see that the rest of the building still has the original windows. Without the awnings and opening up the porch, one can see an old Victorian house.

Thank you so much!

Regards,

Deborah Kropp  
1231 Bonita Ave



**Crane, Fatema**

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**From:** Martha Muhs <mmuhs@gmail.com>  
**Sent:** Thursday, August 6, 2020 2:20 PM  
**To:** Landmarks Preservation Commission; Robert Furnback  
**Subject:** AUP #ZP2020-0036, 1915 Berryman Street , Berkeley

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Attn: Fatema Crane

Dear Ms. Crane:

Per your instructions, I am sending you the following comments regarding the zoning application of AUP# ZP2020-0036, 1915 Berryman Street to be read at tonight's meeting:

This is a very old property (130 years) in an area of Berkeley (Bonita Avenue north from Berryman to Yolo) that has Coodinese's creek running through it. It should qualify as historic, in our opinion.

It is, because of the creek, an ecological zone for various indiginous animals, including deer which breed there and are not, to my knowledge, a problem for any one in the neighborhood. In fact, just the opposite. Also, there are a number of very old trees on the property, including a Monterey pine and at least four Live Oaks over 75 years old which should not be destroyed. This is a very important, unique area of Berkeley, both architecturally and ecologically ,as well as historically. Some of the structures on the street are over a hundred years old. Maybeck, Berkeley's famous architect, lived within a block of this property,

Furthermore, the addition of the proposed apartment building would increase traffic that this area could not realistically accommodate. It would probably require a stop light on the corner of Berryman and MLK. It is, also, ca. 2 blocks away from a King Middle School and its adjacent athletic field which could be problematic for the flow of middle school students.

We are thoroughly aware of the need for housing, but the proposed re-zoning of this particular property would mean the destruction of a very beautiful and significant Berkeley site.

Thank you for your consideration.

Martha Muhs  
Robert Furnback  
1275 Bonita Avenue  
Berkeley  
94709

Lilana Spindler

2215 Stuart St.

Berkeley, CA 94705

Steve Finacom

Landmark Preservation Commission

Re: LPO Application for 1915 Berryman

Dear Mr. Finacom,

I would like to bring to your attention the matter of escaped payment of property taxes by the owners of 1915 Berryman. This is one of our organization's 50-60 subject properties which has not been paying sufficient property tax assessments for their full height basement.

Therefore, the owner owes back taxes for essential city services (schools, library, parks, fire prevention, paramedic, etc.) potentially for decades (tens of thousands of \$), but certainly for the past 4 year look back period per Ca Code Section 5096 (around \$4000) You can inquire about the taxability of basements and cellars with Mr. Henry Oyekanmi of the Berkeley Finance Department.

Some of us in the City are paying property tax assessments for the square footage of our understories, which we cannot walk upright in and which has dirt floor. The subject property at 1915 Berryman has a true basement and should pay appropriate assessments on it. We have been paying for years, then these others should have been also. You may find out more on our website:

<http://berkeleytaxes.info>

The historical preservation of this building should be ensured as well as the historical capture of the revenue the city needs for the services we all enjoy. Please seek to ensure both.

I will try to attend the Zoom meeting, but I have another engagement earlier in the evening, so probably would not be able to address the commission during public comments. Thank you kindly for distributing

<http://berkeleytaxes.info> or 510-849-4319 or 925-258-0201

If you are getting this flyer, then you are probably overcharged for building area-based assessments by the City of Berkeley. If you are concerned about the rise in taxes on your property tax bill, you are not alone! **We are concerned too!**

These assessments fund valuable city services like Libraries, Parks, and the Schools, so we are proud to pay our appropriate share, but we have established that many are overcharged because the City uses a non-public database of Building Area values to calculate our taxes. They often include non-dwelling space in the calculation even though voters were told and the tax ordinance states that "for all dwelling units, the tax shall be imposed at the rate of (current rate .2272) per square foot." (BMC 7.56.030A). Dwelling is defined as "designed for human occupancy" (BMC 7.56.020C). Moreover, the worst part is that hundreds who have added square footage to their homes with permits, have not been taxed for the larger home size!

There are several compelling reasons to act now to push the city for reform:

1. *Lost revenue needed now during budget crisis for City Services*
2. *Harm to lower income homeowners has been established.*
3. *Artificial economic subsidy to wealthy homeowners and landlords who have added on.*
4. *Will obviate need for November ballot measure to increase taxes.*
5. *Restore economic equity to a community raw from socio-economic injustices.*
6. *Remove the shackles of bad governance – auditors have pushed for reform for decades.*

**We all want to pay for the services we enjoy, but no more than our equitable share.** Visit our website for more information and tips on the process.

**Crane, Fatema**

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**From:** Samuel Deutsch <sam@alumni.usc.edu>  
**Sent:** Friday, August 7, 2020 9:08 AM  
**To:** Landmarks Preservation Commission  
**Cc:** gillian@yimbyaction.org  
**Subject:** Petition Opposing Landmark Designation for 1915 Berryman  
**Attachments:** Petition\_report\_192545\_20200807\_1601.csv

**WARNING:** This email originated outside of City of Berkeley.  
**DO NOT CLICK ON** links or attachments unless you trust the sender and know the content is safe.

Hi Landmarks Preservation Commission,

Thank you for voting last night to oppose the landmark designation for 1915 Berryman!

For the record, please find attached a petition with 79 signers in opposition to the 1915 Berryman landmark designation. While we hope that yesterday's meeting is the end of the road for this misguided attempt to designate 1915 Berryman as a landmark, we would like to formally enter this into the record, especially if the project is appealed to the city council.

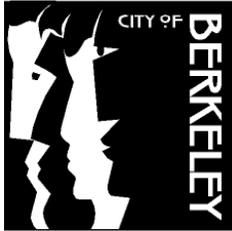
Thank you,  
Sam Deutsch

First name	Last name	Email	Address	City	State	State Abbr	Zip code	Country	Language
Sam	Deutsch	sam@alumni.usc.edu	San Franci	California	CA		94110	US	en
Sara	Ogilvie	sara@ogilv	3009 Missi	San Franci	California	CA	94110	US	en
Mike	Dunham	mldunham	1235 Oak	Burlingam	California	CA	94010	US	en
Auros	Harman	rmharman	633 2nd A	San Bruno	California	CA	94066	US	en
Charles	Whitfield	whitfield.c	1 St Franci	San Franci	California	CA	94107	US	en
Sidharth	Kapur	sidharthka	San Franci	San Franci	California	CA	94612	US	en
Anthony	Risi	amrisi09@gmail.com	San Diego	California	CA		92116	US	en
Ben	Norquist	norquist.ben@gmail.c	Oakland	California	CA		94610	US	en
Sonja	Trauss	sonja.trauss@gmail.c	San Franci	California	CA		94607	US	en
Jeremy	Linden	jlinden@r	428 8th St	San Franci	California	CA	94103	US	en
Ryan	Barrett	ryanbarrett12@gmail	San Franci	California	CA		94117	US	en
Ryan	Barrett	ryanbarrett12@gmail	San Franci	California	CA		94117	US	en
David	Kellogg	david.kellc	1368 Dela	Berkeley	California	CA	94702	US	en
Norma	Guzman	normaguz@gmail.c	San Franci	Gonzales	California	CA	93401	US	en
Sam	Deutsch	sam@alumni.usc.edu	San Franci	California	CA		94110	US	en
Brad	Johnson	johnson.br	1402 Spru	Berkeley	California	CA	94709	US	en
Kelsey	Banes	kelseyban	3427 Gree	Palo Alto	California	CA	94303	US	en
Michael	Chen	mychen10@yahoo.c	San Franci	California	CA		94109	US	en
Kyle	Kelley	rgbkrk@gr	200 W Clif	Santa Cruz	California	CA	95060	US	en
Steve	Marzo	smarzo@a	1117 Ocea	San Franci	California	CA	94112	US	en
Pierce	Abrahams	aspierce1@icloud.c	Berkeley	California	CA		94704	US	en
Thomas	Irwin	thomasirw	962 S woo	East Los A	California	CA	90022	US	en
Zack	Subin	zack.subin	192 Caine	San Franci	California	CA	94112	US	en
Gregory	Lemieux	gregory.le	1113 Chan	Berkeley	California	CA	94702	US	en
Prasanth	Manthena	pmanthena1@gmail.c	Los Angele	California	CA		91604	US	en
Nick	G	x@example.com	Berkeley	California	CA		94703	US	en
Ariele	Scharff	arielescharff+cayim	Piedmont	California	CA		94611	US	en
Christophe	Taktak	taktakchris@gmail.c	New York	New York	NY		10025	US	en
Sara	Fain	saritaFain@gmail.c	Berkeley	California	CA		94707	US	en
Jaime	Orozco	locofish@gmail.com	Albany	California	CA		94707	US	en
James	Park	jamespark@mac.com	San Franci	California	CA		94114	US	en
Richard	Wallace	rjw27@rjaywallace.n	Berkeley	California	CA		94708	US	en
Cole	Niblett	coleaniblett@gmail.c	Campbell	California	CA		95008	US	en
Phillip	Kobernick	phillipkob	3946 26th	San Franci	California	CA	94131	US	en
Carlos	Silva	carlosedibaldo@gmai	Washingto	District of	DC		20008	US	en
Joshua	Newlan	joshuanewlan@gmail	Berkeley	California	CA		94702	US	en
Ryan	Natividad	rbndesign1	408 W 37t	Austin	Texas	TX	78705	US	en
Theo	Gordon	theodore.g	1495 Gold	San Franci	California	CA	94115	US	en
Ann	Trapaga	abcdgoldfish@gmail.c	Albany	California	CA		94710	US	en
Meghan	Long	meghan.m.long@gm	Oakland	California	CA		94612	US	en
John	Holtz	jrholtz@gmail.com	Milwauke	Wisconsin	WI		53211	US	en
Matthew	Schmitz	mattschmi	23 Pearl St	San Franci	California	CA	94103	US	en
James	Martin	jamescma	94123	San Franci	California	CA	94123	US	en
Evan	Cragin	evancragin@gmail.c	Albany	California	CA		94710	US	en
Matthew	Bruns	matt@brunslegal.c	Albany	California	CA		94707	US	en
David	Shere	sheredlk@gmail.com	Oakland	California	CA		94706	US	en

Vitor	Garcia	vbgarci@gmail.com	San Franci	California	CA	94114	US	en
Jessica	Fain	jessicalynnain@gmai	Berkeley	California	CA	94703	US	en
Fareed	Mosavat	far33d@gmail.com	Albany	California	CA	94707	US	en
Dana	Beuschel	dana.beus	825 Post S San Franci	California	CA	94109	US	en
Adam	Buchbinde	adam.buch	601 ALMA CAMPBELL	California	CA	95008	US	en
Matthew	Stafford	mattwstaf	240 Chatta	San Franci	California	CA	94114	US
Cynthia	Anderson	cynthia@stylewylde.c	Berkeley	California	CA	94702	US	en
Wendy	Breuer	wendy.breuer1950@	Albany	California	CA	94707	US	en
Jessica	Takeda	jtakeda@berkeley.ed	Santa Clari	California	CA	91387	US	en
Matthew	Lewis	lewismat@gmail.com	San Franci	California	CA	94607	US	en
Benjamin	Cox	bdcox@umass.edu	Hawley	Massachu	MA	1339	US	en
Lindsay	Brothers	lindsayebrothers@gr	Berkeley	California	CA	94702	US	en
Kevin	Burke	kev@inbu	639 Old Cc Belmont	California	CA	94002	US	en
Leah	Dockstade	ljdockstader@gmail.c	Berkeley	California	CA	94703	US	en
Sami	Juvonen	sami@juvonen.org	Berkeley	California	CA	94702	US	en
Supraja	Narasimha	supraja.n@gmail.com	Fremont	California	CA	94538	US	en
Edgar	Franco	ed.franco@yahoo.co	Albany	California	CA	94710	US	en
Kevin	Selhi	kevin.selhi@gmail.co	Albany	California	CA	94710	US	en
Diane	Halberg	diane@ml3.com	Albany	California	CA	94707	US	en
Naor	Deleanu	42apples@gmail.com	Berkeley	California	CA	94709	US	en
Ellen	Simms	northstreetpaddler@	Berkeley	California	CA	94703	US	en
Izzy	Parnell-Wc	izzy.h.pw@gmail.com	Berkeley	California	CA	94703	US	en
Lauren	Finke	laurentaylorfinke@gr	Berkeley	California	CA	94703-110	US	en
Hannah	Doane	hkd@w3.net	Albany	California	CA	94706	US	en
Akshay	Dodeja	dodeja@gmail.com	Berkeley	California	CA	94705	US	en
Maia	Jackson	msspiritart@gmail.co	Santa Cruz	California	CA	95067	US	en
Chris	Ballinger	chrisballinger@gmail.	Berkeley	California	CA	94709	US	en
Jocelyn	Jones	jclynjones@gmail.cor	Berkeley	California	CA	94704	US	en
Carrie	Graham	clgraham@berkeley.e	Berkeley	California	CA	94709	US	en
Angelina	Gabrielli	anggab96@gmail.con	Berkeley	California	CA	94702	US	en
Mark	Misoshnik	markmis13@gmail.co	Berkeley	California	CA	94702	US	en
Nikolai	Papa	nikolaipapa@gmail.cc	Berkeley	California	CA	94705	US	en
Alyn	Ames	alynames95@berkele	Berkeley	California	CA	94704	US	en

Mobile Nu	Mobile Op	Comments	Referrer C	Source Co	Timestamp (EST)
1.2E+10	0				2020-08-05 20:20:32 EST
1.42E+10	0				2020-08-05 20:24:10 EST
1.59E+10	0				2020-08-05 20:29:36 EST
1.51E+10	0				2020-08-05 20:36:13 EST
1.9E+10	0				2020-08-05 20:41:56 EST
1.47E+10	0	Affordable housing for students			2020-08-05 20:43:23 EST
	0				2020-08-05 20:44:05 EST
	0				2020-08-05 20:52:03 EST
1.22E+10	0				2020-08-05 20:53:14 EST
1.42E+10	0				2020-08-05 21:00:23 EST
1.22E+10	0	The Bay is great, everyone shoul			2020-08-05 21:03:32 EST
1.22E+10	0	The Bay is great, everyone shoul			2020-08-05 21:03:33 EST
1.51E+10	0		twitter		2020-08-05 21:16:32 EST
1.83E+10	0				2020-08-05 21:27:23 EST
1.2E+10	0				2020-08-05 21:30:30 EST
	0		twitter		2020-08-05 21:34:46 EST
1.93E+10	0				2020-08-05 21:42:49 EST
1.51E+10	0				2020-08-05 22:19:37 EST
1.21E+10	0	Don't let bourgeois pastoralists l			2020-08-05 22:53:53 EST
1.81E+10	0				2020-08-05 23:08:59 EST
	0		direct_link		2020-08-05 23:58:14 EST
	0	We need more housing, not mor			2020-08-06 00:33:10 EST
1.51E+10	0	I lived in			2020-08-06 01:00:20 EST
1.51E+10	0				2020-08-06 01:57:18 EST
	0				2020-08-06 02:17:37 EST
	0				2020-08-06 03:21:15 EST
	0	We all need more housing built,			2020-08-06 06:58:59 EST
	0				2020-08-06 10:57:54 EST
	0				2020-08-06 12:01:17 EST
	0				2020-08-06 12:01:54 EST
	0				2020-08-06 12:59:23 EST
	0	The existing bungalow has no sig			2020-08-06 13:12:18 EST
	0				2020-08-06 13:12:20 EST
1.28E+10	0				2020-08-06 13:20:13 EST
	0				2020-08-06 13:59:22 EST
	0				2020-08-06 14:44:14 EST
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1.85E+10	0				2020-08-06 14:55:16 EST
	0				2020-08-06 15:00:50 EST
	0	Please			2020-08-06 15:44:26 EST
	0				2020-08-06 16:02:57 EST
	0	We	direct_link		2020-08-06 16:16:04 EST
1.82E+10	0				2020-08-06 17:08:57 EST
	0				2020-08-06 17:54:09 EST
	0				2020-08-06 18:17:36 EST
1.86E+10	0	I am thrilled that my north Berke			2020-08-06 19:15:39 EST

	0	2020-08-06 19:23:14 EST
	0	2020-08-06 19:30:07 EST
	0	Let's support soci; direct_link 2020-08-06 20:27:52 EST
1.62E+10	0	2020-08-06 22:05:54 EST
1.86E+10	0	This lot should not contain ten a 2020-08-06 22:10:03 EST
	0	2020-08-06 22:10:28 EST
	0	2020-08-06 22:11:11 EST
	0	Busing isn't enough to redres 2020-08-06 22:12:15 EST
	0	Make affordable housing! 2020-08-06 22:15:39 EST
1.65E+10	0	2020-08-06 22:36:08 EST
	0	The property at 1915 Berryman : 2020-08-06 22:43:23 EST
	0	We need more housing in Berkel 2020-08-06 22:51:02 EST
1.93E+10	0	2020-08-06 22:53:57 EST
	0	2020-08-06 23:01:20 EST
	0	We need housing desperately, n 2020-08-06 23:15:44 EST
	0	2020-08-06 23:41:17 EST
	0	2020-08-06 23:48:01 EST
	0	Berkeley is segregated. The solu 2020-08-06 23:55:54 EST
	0	2020-08-07 00:00:41 EST
	0	twitter 2020-08-07 00:18:32 EST
	0	The 3 other corners all have mul 2020-08-07 00:25:31 EST
	0	Because affordable housing and 2020-08-07 00:31:43 EST
	0	I initially moved to Berryman wh 2020-08-07 00:34:28 EST
	0	Do not put aesthetics ahead of n 2020-08-07 01:17:00 EST
	0	2020-08-07 01:18:55 EST
	0	As a former Berkeley resident, I' 2020-08-07 01:26:39 EST
	0	2020-08-07 01:45:09 EST
	0	2020-08-07 02:38:31 EST
	0	2020-08-07 02:57:17 EST
	0	2020-08-07 04:32:23 EST
	0	direct_link 2020-08-07 04:44:41 EST
	0	2020-08-07 10:39:06 EST
	0	direct_link 2020-08-07 10:58:53 EST



Planning and Development Department  
Land Use Planning Division

**PROOF OF SERVICE**

DATE: September 28, 2020  
TO: Whom It May Concern  
FROM: Melinda Jacob, OSII  
SUBJECT: **DECISION OF LANDMARKS PRESERVATION COMMISSION**

I, the undersigned, certify that I am employed in the City of Berkeley, County of Alameda, California; that I am over eighteen years of age and not a party to the within action, that my business address is 1947 Center Street, 2<sup>nd</sup> Floor, Berkeley, California 94704. On this date, I served the following documents:

**DECISION OF LANDMARKS PRESERVATION COMMISSION FOR  
CONSIDERATION OF A LANDMARK AT  
1915 BERRYMAN STREET / THE PAYSON HOUSE**

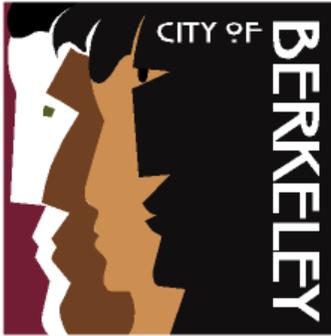
On the parties stated below by placing true copies thereof in sealed envelope(s) addressed as shown below by the following means of service:

Daniella Thompson 2663 Le Conte Avenue Berkeley, CA 94709	Deborah Kropp and 64 Berkeley Residents 1213 Bonita Avenue Berkeley, CA 94709	Alon and Ravit Danino 1493 Firebird Way Sunnyvale, CA 94087
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By First Class Mail - I am readily familiar with the City's practice for collecting and processing of correspondence for mailing. Under the practice, the correspondence is deposited with the U.S. Postal Service on the same day as collected, with First Class postage thereon fully prepaid, in Berkeley, California, for mailing to the addressee following ordinary business practices.  
 By Personal Service - I caused each such envelope to be given to the City of Berkeley mail service person to personally deliver to the office of the addressee.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 28, 2020 at Berkeley, California.

K. Tiana Alnas-Benson, OSII



LANDMARKS  
PRESERVATION  
COMMISSION  
NOTICE OF DECISION

**DATE OF BOARD DECISION: August 6, 2020**  
**DATE NOTICE MAILED: September 28, 2020**  
**APPEAL PERIOD EXPIRATION: October 13, 2020**  
**EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): October 14, 2020<sup>1</sup>**

## 1915 Berryman Street The Payson House

**Landmark application (#LMSAP2020-0003) for consideration of City Landmark or Structure of Merit designation status for a residential property.**

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

- City Landmark or Structure of Merit designation status, pursuant to Berkeley Municipal Code Section 3.24.110.A-B

**APPLICANT:** Daniella Thompson, 2663 Le Conte Avenue, Berkeley

**ZONING DISTRICT:** Residential – Southside (R-S)

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

**The application materials for this project are available online at:**

<http://www.cityofberkeley.info/zoningapplications>

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

LANDMARKS PRESERVATION COMMISSION  
NOTICE OF DECISION  
City Landmark designation status - #LMIN2020-0003  
1915 Berryman Street – The Payson House  
September 28, 2020  
Page 2 of 4

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**FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE**

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**COMMISSION VOTE: 7-2-0-0**

**YES:** ABRANCHES DA SILVA, ADAMS, CRANDALL, ENCHILL, JOHNSON,  
MONTGOMERY, SCHWARTZ

**NO:** ALLEN, FINACOM

**ABSTAIN:** None

**ABSENT:** None

**Note New Methods for Submitting Appeals during Shelter-In-Place Order**

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

To appeal a decision of the Landmarks Preservation Commission to the City Council during the 2020 City Council Shelter-In-Place Order, you must:

1. Mail a letter clearly and concisely setting forth the grounds for the appeal with a check or money order for required fees to the City Clerk, located at 2180 Milvia Street, 1<sup>st</sup> Floor, Berkeley, 94704. The City Clerk's telephone number is (510) 981-6900.

OR

Alternatively, you may email your complete appeal and all attachments to the Planning Department at [planning@cityofberkeley.info](mailto:planning@cityofberkeley.info) and include a telephone number where you can be reached during the day. Planning Department staff will call you within three business days to obtain payment information for the required fees by credit card *only*.

- a. Pursuant to BMC Section 3.24.300.A, an appeal may be taken to the City Council by the application of the owners of the property or their authorized agents, or by the application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of Chapter 3.24.
2. Submit the required fee (checks and money orders must be payable to 'City of Berkeley'):
    - a. The basic fee for persons other than the applicant is \$500. This fee may be reduced to \$100 if the appeal is signed by persons who lease or own at least 50 percent of the parcels or dwelling units within 300 feet of the project site, or at least 25 such persons (not including dependent children), whichever is less. Signatures collected per the filing requirement in BMC Section 3.24.300.A may be counted towards qualifying for the reduced fee, so long as the signers are qualified. The individual

LANDMARKS PRESERVATION COMMISSION  
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1915 Berryman Street – The Payson House  
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- filing the appeal must clearly denote which signatures are to be counted towards qualifying for the reduced fee.
- b. The fee for appeals of affordable housing projects (defined as projects which provide 50 percent or more affordable units for households earning 80% or less of Area Median Income) is \$500, which may not be reduced.
  - c. The fee for all appeals by Applicants is \$2500.
3. The appeal must be received prior to 5:00 p.m. on the "APPEAL PERIOD EXPIRATION" date shown above (if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day).

If no appeal is received, the landmark designation will be final on the first business day following expiration of the appeal period.

**NOTICE CONCERNING YOUR LEGAL RIGHTS:**

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

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

LANDMARKS PRESERVATION COMMISSION  
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- 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.

**PUBLIC COMMENT:**

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

**FURTHER INFORMATION:**

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

**ATTACHMENTS:**

- 
- 1. Findings for Denial
  - 2. Landmark application



**ATTEST:** \_\_\_\_\_  
Fatema Crane, Secretary  
Landmarks Preservation Commission

Cc: City Clerk  
Daniella Thompson, application author  
Deborah Kropp, representative of 64 Berkeley resident applicants  
Alon and Ravit Danino, property owners

ATTACHMENT 1, PART 2

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FINDINGS FOR DENIAL

AUGUST 6, 2020

## 1915 Berryman Street – The Payson House

**Landmark application #LMIN2020-0003 for the consideration of City Landmark or Structure of Merit designation status for a residential property.**

### PROJECT DESCRIPTION

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City Landmark designation of the property 1915 Berryman Street

### CEQA FINDINGS

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1. The project is found to be exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15061.b.4 of the CEQA Guidelines (the project will be rejected or disapproved by the public agency).

### LANDMARK PRESERVATION ORDINANCE FINDINGS

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2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.A and B of the Landmarks Preservation Ordinance (LPO), the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property and extant main building: possess insufficient architectural merit; lack necessary aspects of integrity; and do not represent the more significant contributions of persons important to local history. As such, the property and main building do not warrant designation as a City Landmark or Structure of Merit either individually or as a member of a group of related sites. Therefore, the Commission disapproves the application for designation status.

Attachment 1, Part 3

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

*Land Use Planning  
Received  
June 8, 2020*

**William H. & Esther L. Payson House**  
**1915 Berryman Street**  
**Berkeley, CA 94709**



*Figure 1. Payson House, front façade (Alon Danino)*

1. **Street Address:** 1915 Berryman Street  
**County:** Alameda      **City:** Berkeley      **ZIP:** 94709
2. **Assessor's Parcel Number:** 60-2449-13 (Berkeley Villa Association, Block 16, Lot 9)  
**Dimensions:** 141.5 feet (west) x 75 feet (north) x 136 feet (east) x 75 feet (south)  
**Cross Street:** Bonita Avenue
3. **Is property on the State Historic Resource Inventory?** No  
**Is property on the Berkeley Urban Conservation Survey?** No  
**Form #:** N/A
4. **Application for Landmark Includes:**
  - a. **Building(s):** Yes      **Garden:** N/A      **Other Feature(s):**
  - b. **Landscape or Open Space:** Yes
  - c. **Historic Site:** No
  - d. **District:** No
  - e. **Other:** Entire property
5. **Historic Name:** Payson House  
**Commonly Known Name:** Miller House; "Old farm house"
6. **Date of Construction:** 1889      **Factual:** Yes  
**Source of Information:** *Berkeley Herald*, 2 January 1890; 1889 city directory
7. **Designer:** Unknown
8. **Builder:** Lord & Boynton
9. **Style:** Rustic Victorian
10. **Original Owners:** William Hawes Payson & Esther L. "Etta" (Tripp) Payson  
**Original Use:** Single-family residence
11. **Present Owner:**  
Ravit & Alon Danino  
1493 Firebird Way  
Sunnyvale, CA 94087-3450  
  
**Present Occupant:** Unoccupied
12. **Present Use:** Residential (3 units per Alameda County Assessor's Office; sold as two units)  
**Current Zoning:** R-2A      **Adjacent Property Zoning:** R-2, R-2A
13. **Present Condition of Property:**  
**Exterior:** Fair      **Interior:** Fair      **Grounds:** Wooded  
  
**Has the property's exterior been altered?** Yes, in 1925 and mid-1940s.

## Executive Summary

The William H. & Esther L. Payson House is a Victorian-era house built in 1889 by the important but short-lived construction firm of Lord & Boynton, founded by the two Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921). Both partners arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

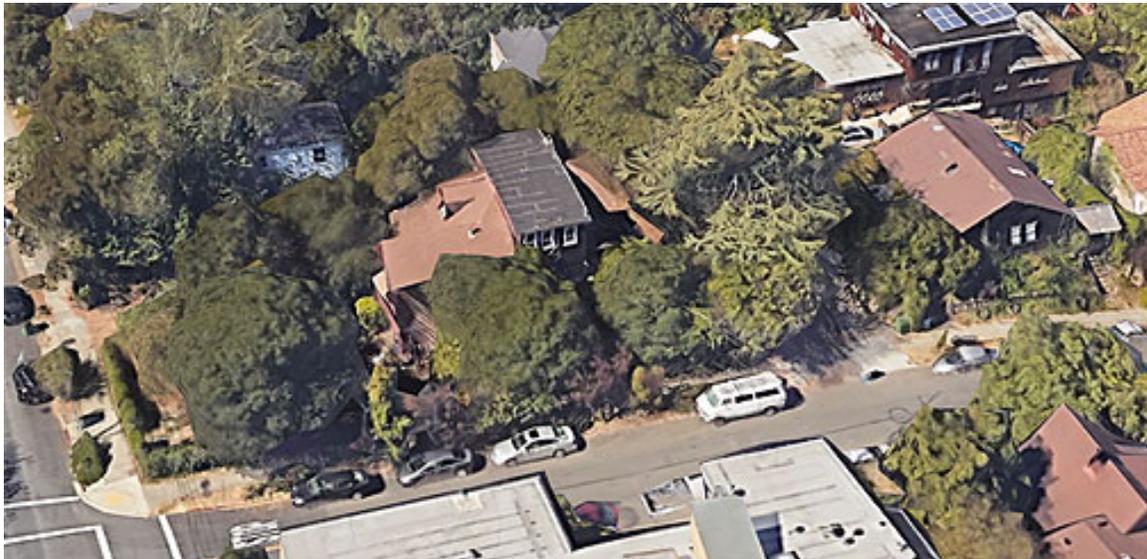
In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The Payson House is one of only five surviving buildings constructed by Lord & Boynton. It was one of the first houses built north of Berryman Street—an area that wasn’t even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would still recognize it today.



*Figure 2. The Payson House parcel, seen from the east (Google Earth)*

## 14. Description

The William & Etta Payson House is a one- and two-story wood-frame dwelling constructed in 1889. It is located on the northwest corner of Berryman Street and Bonita Avenue, in the center of a large lot, amid several coast live oaks.

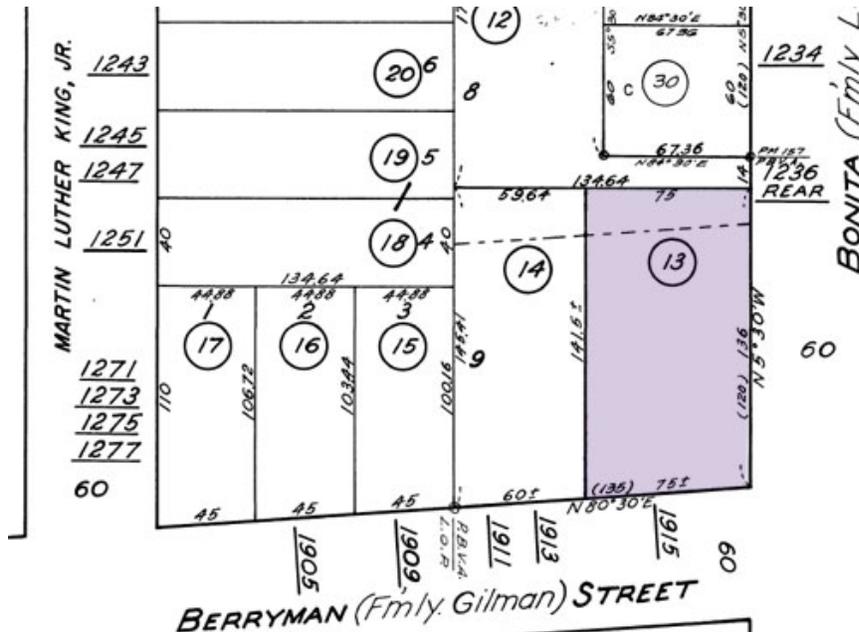


Figure 3. The subject property in the Assessor's Map of Block 2449

The house used to stand on a much larger parcel that included a still extant cottage (now 1234 Bonita Avenue), built c. 1892–93 for Mrs. Payson's sister.

The plan of the Payson House is irregular. The earliest outline available dates from a 1911 Sanborn map (Figs. 4, 5), since the neighborhood north of Berryman Street wasn't sufficiently developed in 1903 to warrant a Sanborn map.

Despite some modifications to the exterior, the 1911 outline is still easily recognizable today. Originally, the house comprised a central rectangular mass surmounted by a hip roof; a projecting gable-roofed front wing at the southeast corner; and a service wing at the northwest corner.

A bay window in the center of the west façade mirrored a square projection on the opposite side.

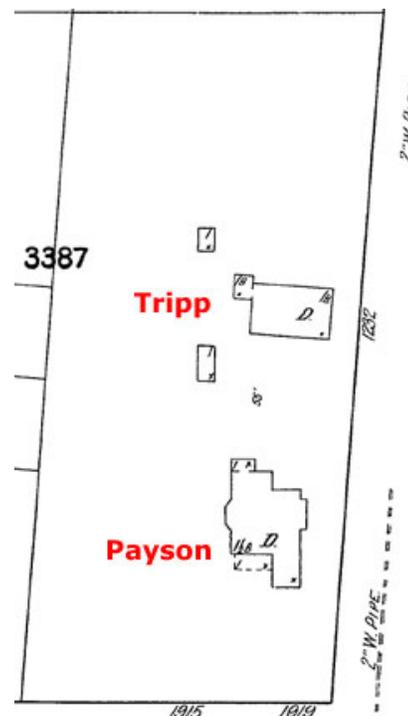


Figure 4. Sanborn map, 1911

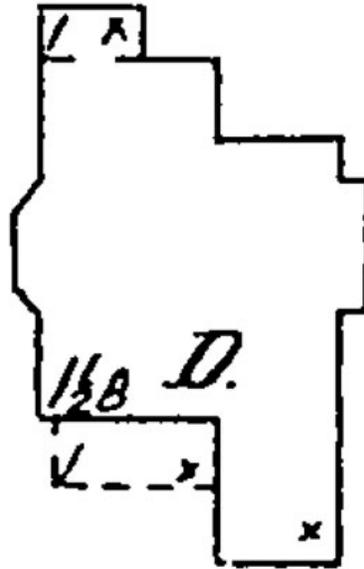


Figure 5. House outline in 1911 (Sanborn map)

As built, the Payson House was one-and-a-half stories high with a basement. The small, south-facing dormer in the hip roof (Fig. 8) marks the front half of the original attic. In 1925, then-owner Katherine Olden Easton (1863–1940), an artist and playwright, created a second story above the central portion of the house, surmounted by a new shallow-pitched roof that sheds over the projections in the east and west walls.<sup>1</sup> That roof is shown in the 1929 Sanborn map below.



Figure 6. The 1889 hip roof, surmounted by the shallow-pitched roof built in 1925.

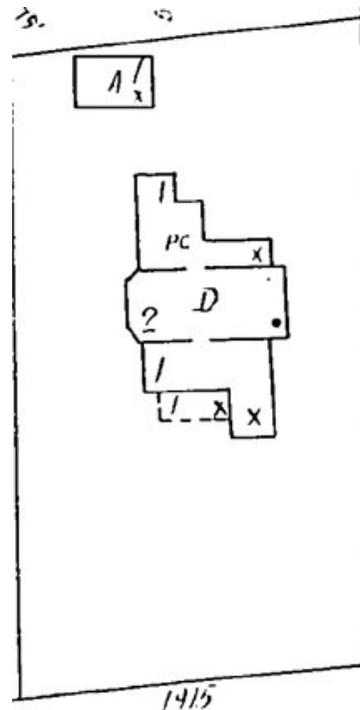


Figure 7. Sanborn map, 1929

<sup>1</sup> Building permit #20766. BAHA archives.

The photo below shows the front of the original hip roof, with the 1925 second-story addition behind. The dormer features a small gable roof with a pediment eave framed in ogee molding, and a double-hung window whose upper sash is divided into 3-over-2 lights.



*Figure 8. Front dormer in the original hip roof. Behind is the second story created in 1925.*

The Payson House is clad in unpainted wood shingles. A shingled skirt flares out over the water table above the basement level, where horizontal V-grooved rustic siding runs along all four sides of the house. The shingle cladding is not original to the house (had it been, it would have made this house the oldest shingled structure in Berkeley). The date of the shingled exterior is unknown; the shingles may have been applied under the influence of Bernard Maybeck, a close neighbor since 1892, or in conjunction with the shingling of the adjacent Tripp-Wollenberg cottage, on which Maybeck is said to have done some work in the first decade of the 20<sup>th</sup> century.

It is assumed that the original exterior was clad in rustic siding of the type seen on the basement-level exteriors. Rustic was the cladding applied to at least one other house constructed by Lord & Boynton in the same year they built the Payson House.

A known example is the James & Cecilia Luttrell House (Ira Boynton, designer; Lord & Boynton, builders, 1889) at 2328 Channing Way.



*Figure 9. Rustic siding, Luttrell House*

**South (front) façade**



*Figure 10. Front façade*

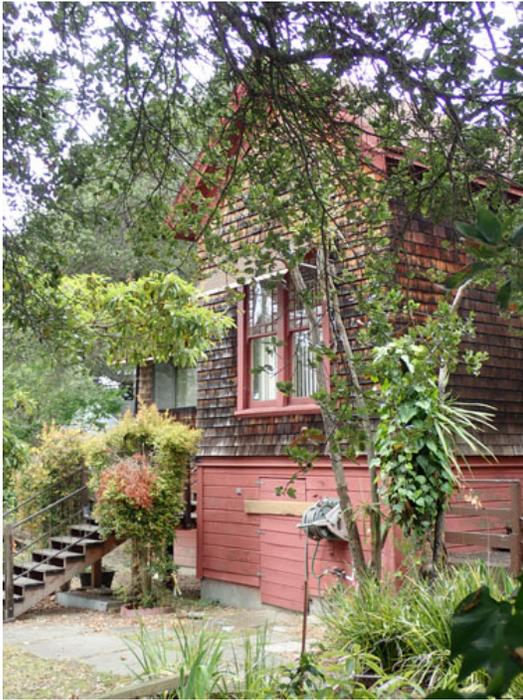
The front façade is asymmetrical, with a gable-roofed wing on the right, projecting south from the main, hip-roofed mass. The roof eaves are closed and shallow. A flight of open wooden stairs leads to the front entrance, which is reached via an opening in an enclosed porch. A horizontal window, apparently aluminum-framed, is embedded flush within the south wall of the porch.



*Figure 11. A view from the south*

A small horizontal wood-framed window faces west from the projecting front wing (Fig. 10). On its south façade, this wing features a pair of attached double-

hung, wood-framed windows whose upper panes are bordered by rows of small, square, plain-glass lights.



*Figure 12. Front wing*



*Figure 13. Windows in front wing*



*Figure 14. Enclosed porch, southwest corner*

As built, the entrance to the house was located within an open porch on the left side of the south façade (Fig. 5). That porch was enclosed in 1946 by then-owner Harry V. Miller, who added a fixed, multi-paned wooden window to the porch's west side (Fig. 15).<sup>2</sup>



*Figure 15. West-facing window in front porch*

<sup>2</sup> Building permit #58971. BAHA archives.



*Figure 16. West façade, seen from the northwest*

### **West façade**

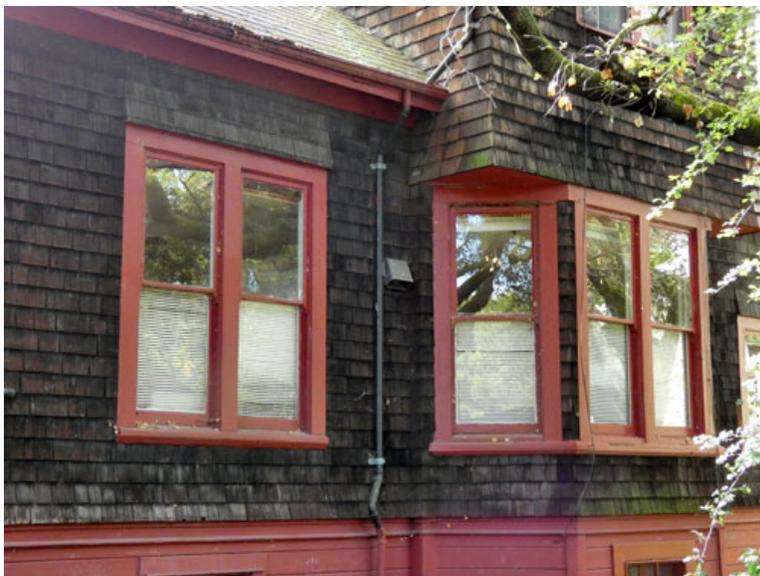
The west façade is the least altered side, with the marked exception of the 1925 second-story addition that rides on top of the central bay window.

This façade is symmetrical, with the central bay flanked by walls of fairly equal length on either side.



*Figure 17. West façade*

A series of wood-framed windows, all of which appear to be original, lines the main-level walls. From north to south, these include a small double-hung window in the northern service wing; a pair of attached double-hung windows; a central three-sided bay containing four double-hung windows; and a horizontal double-hung window with a 5-over-3 multipaned lower sash (Fig. 21).



*Figure 18. Windows on main level, west façade*

Three sides of the second story have wood-framed windows: casements facing north and south, and a double-hung pair facing west. A red-brick chimney rises from the hip roof, hugging the second-story wall.



*Figure 19. Upper story above west façade*



Figure 20. West façade, southern end



Figure 21. West façade, seen from the south  
(Mark Hulbert)



Figure 22. West façade toward the north



Figure 23. Bay window & second story,  
west façade

### East façade

The east façade is the most altered side of the house. By 1950, a one-story addition had been attached to the east wall of the front wing (Fig. 24). This addition appears to have a shed roof and is entered via an external staircase, presumably serving one of the former apartments. The addition was most likely built in the 1940s, possibly during World War II. No specific building permit has been found for this addition.

A wood-framed, double-hung window in the addition's wall appears to be original and may have been transferred from the front wing's wall.

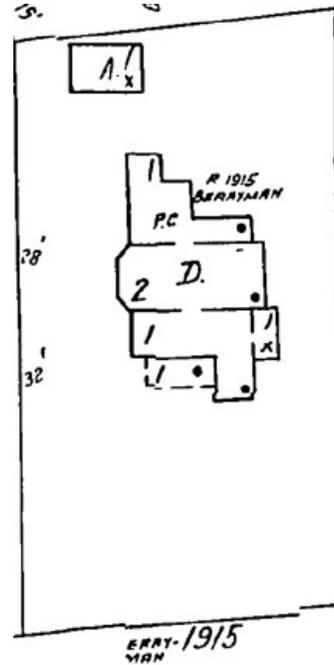


Figure 24. Sanborn map, 1950



Figure 25. Circa 1940s addition, east façade

The 1925 second story extends over the main story's square projection in the center of the east façade. The window on the first story appears to retain its original frame minus the sill, but the sash itself has been replaced with aluminum. The upper story features three east-facing windows, all of vinyl.



*Figure 26. East façade, front & central sections*



*Figure 27. East façade, central section*



*Figure 28. East façade, seen from the north*

The northern section of the east façade includes a wood-framed, double-hung window of the same proportions as seen on the first story of the west façade.



*Figure 29. East façade toward the rear & garage*

### **North (rear) façade**

The north side of the house contains the projecting service wing under its own hip roof. It is entered through an east-facing door with a glazed upper third, reached via a flight of wooden steps. To the left of the door, a narrow wood-framed, double-hung window faces north. A smaller, single-paned window is positioned above the cellar entrance.



*Figure 30. North façade*

On the second story, two double casement windows with 2-over-3 glazed sashes face the rear. Between the service wing and the upper story rises a second brick chimney.



*Figure 31. Brick chimney, north side*



*Figure 32. Cellar & service entrances*



*Figure 33. Windows, north façade*

A one-car garage, clad in  $\frac{3}{4}$  rustic siding, stands in the northwest corner of the property, facing east along a driveway that opens to Bonita Avenue.

The garage was built in 1925 for then-owner Katherine Olden Easton by contractor J.P. Wood,<sup>3</sup> who built the second story at the same time.

### **Alterations to the house**

The most significant alteration was made in 1925, when contractor James P. Wood raised the central portion of the roof to create a second story with bathroom facilities but no kitchen. The house remained a single-family residence at that time. Owner Katherine O. Easton, whose contractor husband died that year, may have built the second story to give her artist daughter her own space.

By 1945, when owner Harry V. Miller hired contractor George G. Sgritta to make alterations, the house was indicated in the building permit as serving two families. The work was described as follows:



*Figure 34. Garage, built in 1925*

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<sup>3</sup> Building permit #20767. BAHA archives.

Back outside stair to be fix [sic] up.  
~~and a lot more inside work to be done to improve the Bldg.~~  
Inside stairway to be changed.

In 1946, Harry Miller enclosed the front porch, changing the side window. It was during Miller's ownership that the house was divided into apartments, and the small addition with its private entrance at the southeast corner no doubt served that purpose, but no building permit has been found for the separation. By 1955, when Miller applied for a permit to lower the kitchen ceiling, the house was described as a three-family apartment building.<sup>4</sup>

The recent listing of the house, which sold on 18 March 2020, included the following description:

Two story craftsman with a full walk-in basement. Floor plan was 3 units, previous owners removed the common wall between the two main level units to create one large living area to accommodate their large family. Third unit is upstairs.

### **Features to be preserved**

The distinguishing features of the Payson House include the following:

- Rectangular mass with projecting wings at southeast and northwest, and central bays at east and west sides
- Main hip roof; gable roof over southeast wing; gable roof over south dormer; accessory hip roof over northwest wing; shed roofs in rear
- South-facing, gable-roofed dormer with pediment eave
- Ogee molding on roof eaves
- Shingle cladding (or, preferably, original cladding underneath the shingles)
- V-groove Rustic siding on basement-level exteriors
- Water table on all four sides
- Wood-sash windows (double-hung, casement, and fixed; with divided and undivided lights) in flat wood board casings, and projecting window sills with molded apron trim
- Wooden exterior doors
- The remaining six coast live oaks (two trees were cut down in March 2020)

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<sup>4</sup> Building permit #77177. City of Berkeley.

## 15. History

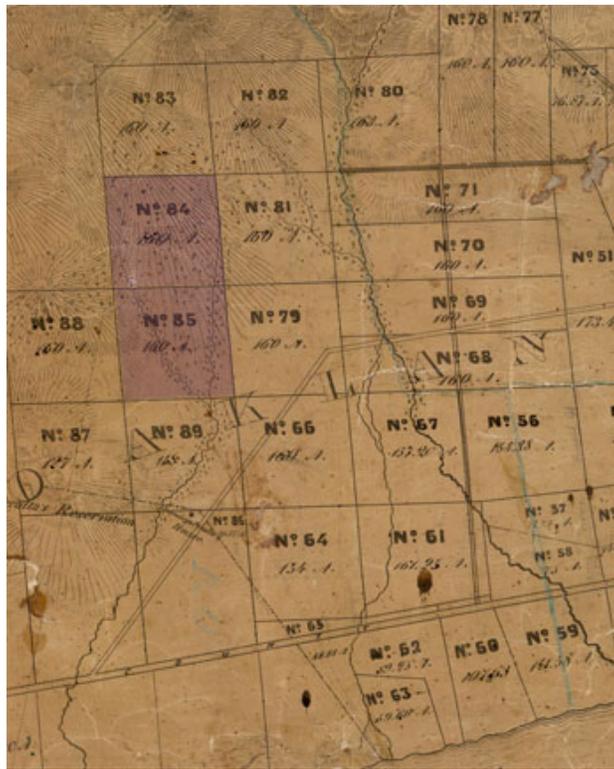


Figure 35. Plots 84 & 85 (shaded) in Kellersberger's Map

The Berkeley Villa Association tract, in which the Payson House is located, was part of Rancho San Antonio, a 44,800-acre Spanish land grant given in 1820 to Sergeant Luís María Peralta (1759–1851) by the last Spanish governor, Don Pablo Vicente de Sol, in recognition of Peralta's forty years of military service to the Spanish king. The rancho included lands that form Oakland, Alameda, Piedmont, Emeryville, Berkeley, and parts of San Leandro and Albany.

In 1842, Luís Peralta divided the rancho among his four sons. Domingo and José Vicente were given the land that now comprises Oakland and Berkeley.

Within less than a decade, squatters overran the Peraltas' properties, stole their cattle, and sold it in San Francisco. Worse, parcels of rancho land were sold without legal title. Domingo and Vicente Peralta fought the appropriations in the courts. In 1856, the U.S. Supreme Court confirmed their title, but by then the brothers had been forced to sell most of their lands to cover legal costs and taxes. The various buyers engaged cartographer Julius Kellersberger<sup>5</sup> to map the Peralta Ranchos for subdivision purposes.

As related in *Berkeley, the First Seventy-Five Years*, "during the late 1850s and early 1860s Domingo Peralta's former property was the subject of almost continuous parcelings, mortgagings, and transfers. Most of the transactions were

<sup>5</sup> Map of the Ranchos of Vincente & Domingo Peralta. Containing 16970.68 Acres. Surveyed by Julius Kellersberger. Surveyed 1853. Partitioned 1854. Filed Jan. 21st 1857. Courtesy of Barry Lawrence Ruderman Antique Maps, Inc. <http://www.raremaps.com/gallery/enlarge/39956>

made for speculation or investment; a few, to provide homes and ranches for new settlers.”<sup>6</sup>



### Napoleon Bonaparte Byrne

One of the new settlers was Napoleon Bonaparte Byrne (1817–1905), a prosperous plantation owner from New Madrid, Missouri, where he raised thoroughbred horses and cattle.<sup>7</sup>

In the 1850s, malaria was rampant along the Mississippi and Missouri Valleys.<sup>8</sup> Byrne, whose plantation was located by the Mississippi River, decided to move his family to California. He sold the plantation, freed his slaves, and undertook a six-month journey across the plains in a covered wagon, arriving in Oakland in the fall of 1859.

In addition to the Byrne family, the overland party included two freed slaves, Peter and Hannah Byrne, the first African-Americans to settle in Berkeley.

Figure 36. Napoleon Bonaparte Byrne  
(Berkeley Historical Society)



Figure 37. Codornices Creek in March 1861 (detail from James G. Stratton's land case map, Bancroft Library, U.C. Berkeley)

In March 1860, Napoleon Byrne began purchasing land along Codornices Creek. In June 1860, the U.S. Census enumerated the Byrne household in Oakland (Berkeley was not yet named). The household included ten persons: Napoleon and Mary Byrne; their four children; two white laborers, and two African-Americans—Peter, a laborer, and Hannah, a nurse. Byrne's real estate was valued at \$7,000, and his personal estate at \$4,000.

<sup>6</sup> *Berkeley, the First Seventy-Five Years*. Writers Program of the WPA in Northern California. Berkeley: The Gillick Press, 1941.

<sup>7</sup> Mary Tennent Carleton. *The Byrnes of Berkeley, From Letters of Mary Tanner Byrne and Other Sources*. *California Historical Society Quarterly*. San Francisco, 1938. Vol. 17, No. 1, pp. 41–48.

<sup>8</sup> Sok Chul Hong. *The Burden of Early Exposure to Malaria in the United States, 1850–1860: Malnutrition and Immune Disorders*. *J Econ Hist.* 2007 Dec; 67(4): 1001–1035.

Napoleon Byrne continued to acquire land from four different sellers; by April 1861, he was in possession of 827 acres in plots 84 and 85 of Kellersberger's Map.

In 1868, the Byrnes built an elegant Italianate villa surrounded by a large garden, located at what is now 1301 Oxford Street. In 1870, the U.S. Census recorded the value of Byrne's real estate at \$100,000, and his personal estate at \$10,000. The household numbered 12 persons, including three new Byrne children, a Canadian-born laborer, an Irish-born woman servant, and a Chinese waiter. The former slaves were no longer part of the household; Peter Byrne changed his surname to Wilson and established himself as a whitewasher in Oakland.



Figure 38. *The Byrne house, built in 1868 (Pettitt: Berkeley, the Town and Gown of It)*

Although the farm was "good enough to pay for itself with one or two crops," Napoleon Byrne was not pleased with the soil, feeling that it was "not of the first class," as Mary Byrne wrote to relatives in Missouri. He had begun to sell portions of his land in 1868. Having heard of the enormous crops that could be raised in the Sacramento-San Joaquin River Delta, Byrne joined three friends in 1873 and purchased the marshy, 3,100-acre Venice Island, where he moved with his family. He financed the purchase by selling the final large chunk of his Berkeley land to businessmen Henry Berryman and Felix Chappellet for \$49,000, reserving for himself the family house and the surrounding 11 acres. The Byrnes would never again occupy their villa.

### **Berryman, Chappellet and the Berkeley Villa Association**

Henry Burpee Berryman (c. 1842–1903) was born in New Brunswick, Canada. As a young man, he moved to San Francisco and began working for another New Brunswicker, a wealthy coal merchant named James R. Doyle. Doyle died

in 1872, leaving a sizable estate. Shortly thereafter, his widow, Louisa McKevo Doyle, married Henry Berryman, who “took entire charge of the affairs of her husband’s estate.”<sup>9</sup>

The Doyle estate enabled Berryman to join the French-born merchant and former mining operator Felix Chappellet (1828–1902) in purchasing Napoleon Bonaparte Byrne’s land in 1873.

Berryman and Chappellet had the land surveyed in October 1873. On 27 July 1875, a subdivision map of the Berkeley Villa Association tract (Fig. 40) was filed in the Alameda County Recorder’s Office. The tract occupied the northern half of Plots 84 and 85 in Kellersberger’s map (Fig. 35).

As drawn in the 1875 map, the tract was a grid comprising 32 rectangular city blocks bounded by Rose Street to the south, Josephine Street to the west, and Eunice (then Durant) Street to the north. East of Arch Street, eight blocks stretched deep into the hills, ending with the imagined East Street. The eight eastern blocks were never realized as drawn.



Figure 39. Felix Chappellet

Blocks 22 and 23 remained Napoleon Bonaparte Byrne’s property. However, Byrne soon ran into financial difficulties on Venice Island, as the cost of employing Chinese labor to build levees and reclaim the marsh proved prohibitive. In 1877, Byrne sold his Berkeley house to Henry and Louisa Berryman, who made it their home.

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<sup>9</sup> Mrs. Louisa Berryman’s deposition in a trust court case brought against the Berrymans. *Daily Alta California*, 26 January 1890, page 8, column 1.

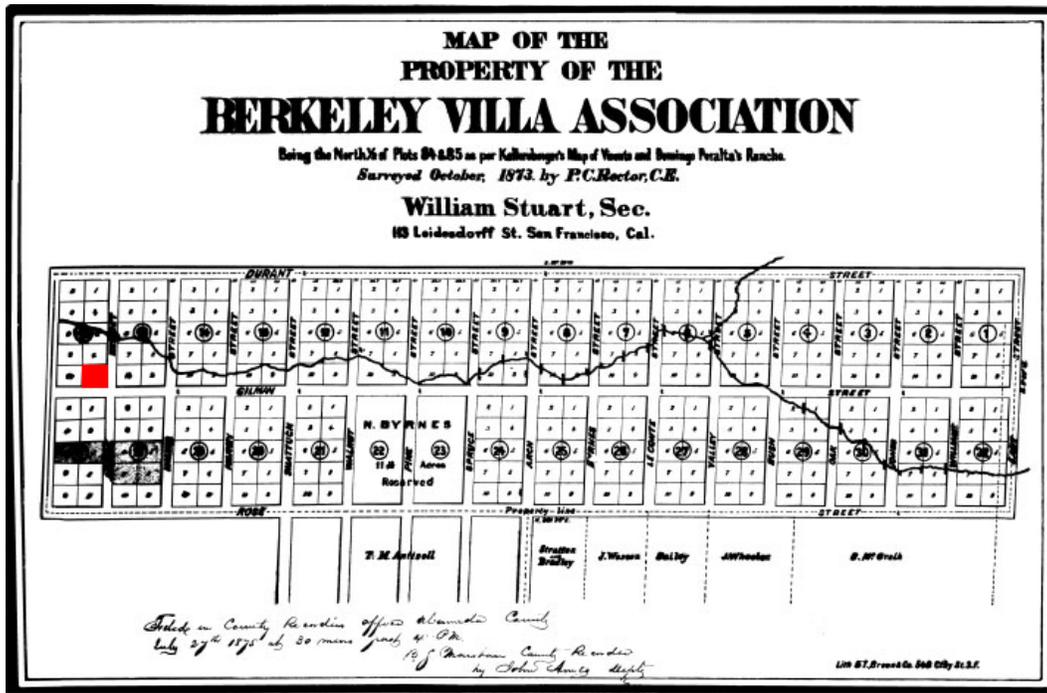


Figure 40. Berkeley Villa Association tract map, filed in 1875. Lot 9 in Block 16 is marked in red.

In June 1878, the Oakland real estate agent G.F.E. Brinckmann filed a map of the Berryman Tract that advertised select lots for sale at auction. This map showed a more realistic view of the terrain, with the area east of Spruce Street no longer laid out in a uniform grid but with parcels of various shapes and sizes set along meandering streets. The old Byrne house and grounds were marked "H.B. Berryman" (Fig. 41).

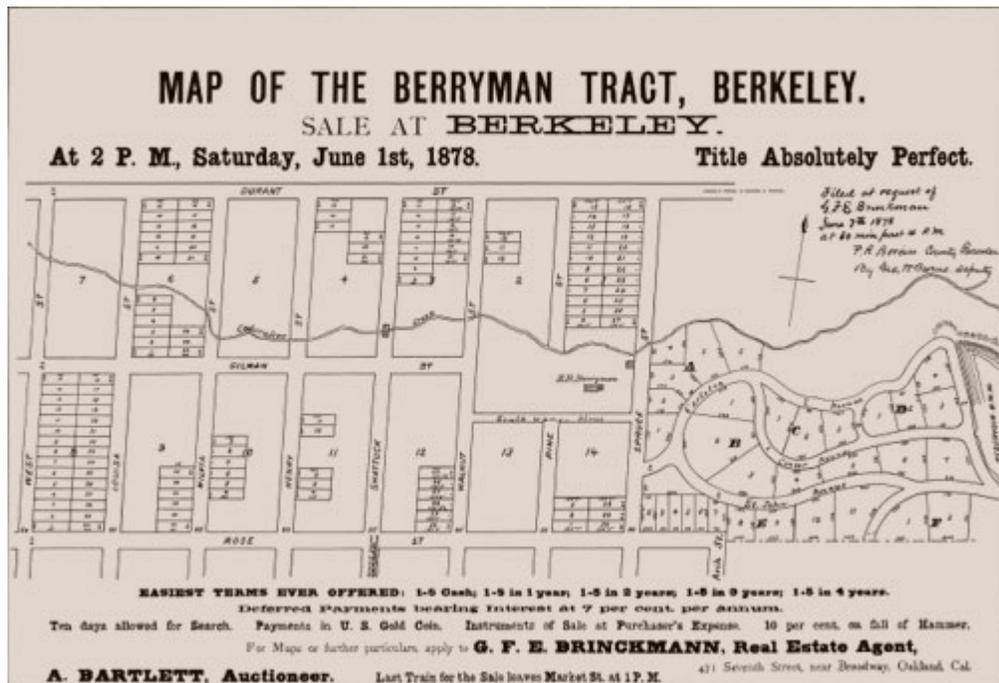


Figure 41. Map of the Berryman Tract filed by G.F.E. Brinckmann, June 1878

In 1880, the map published by Berkeley realtors Carnall & Eyre (Fig. 42) revealed a more modest subdivision. The Byrne property was now called the Berryman Reserve.

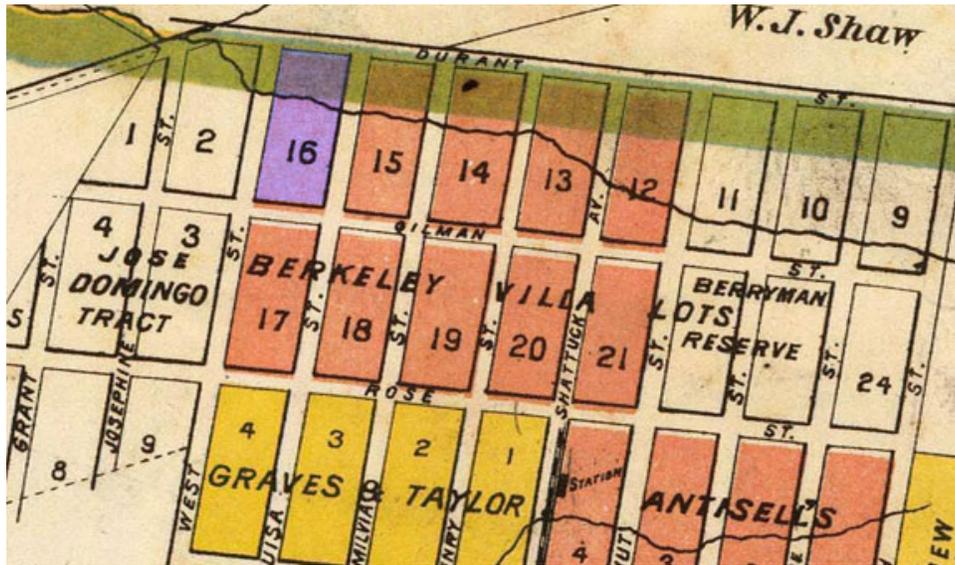


Figure 42. Block 16, Berkeley Villa Association tract (Carnall & Eyre map of Berkeley, 1880)<sup>10</sup>

Even before the first subdivision map of the Berkeley Villa Association tract was filed, Chappellet and Berryman began selling lots, as evidenced by a newspaper advertisement (Fig. 43) published in June 1875.

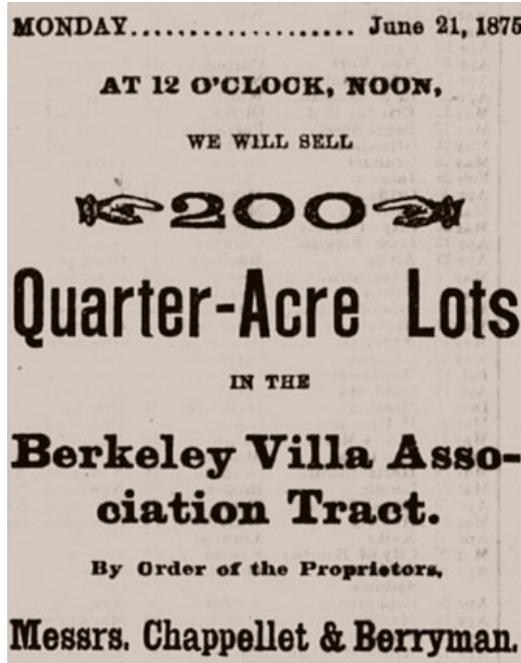


Figure 43. Detail from an ad by Olney & Middleton  
(Daily Alta California, 4 June 1875, page 3)

<sup>10</sup> David Rumsey Map Collection.

The nearly full-column ad, taken by the real estate auctioneers Olney & Middleton in the *Daily Alta California* on 4 June 1875, promised unsurpassed views, comprising “a panorama extending from Petaluma on the north to Santa Clara on the south, and including the Bay and its Islands, the Golden Gate, Redwood City and San Mateo, together with New Saucelito [sic] and San Rafael on the west.”

The ad further announced:

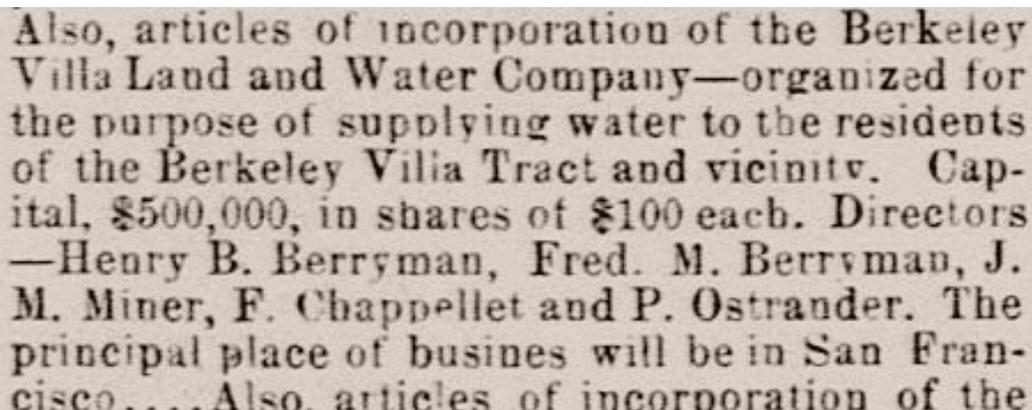
This property connects to Oakland by HORSE CARS to the University, which run every seven minutes, and to within a quarter mile of the Tract, and shortly will be extended to it. It connects to San Francisco by the BERKELEY FERRY BOAT, which makes eight trips a day, the landing being at the foot of University Avenue, distant one mile and a quarter from the property. Arrangements are in progress for a railroad from the landing to the University, and on its completion the time from San Francisco to this Tract will not exceed one hour. [...] The route of the Central Pacific (Bantas) Overland Railroad passes within a half-mile of this Tract.

Just as important as transportation was the question of the water supply, and here, too, the ad made bold claims:

UNSURPASSED WATER FACILITIES are secured to the Tract; first, by a never-failing stream of flowing water running through the centre of the Property, and second, by the incorporation of the BERKELEY VILLA WATER COMPANY, organized for the purpose of constructing a RESERVOIR of sufficient capacity to furnish any quantity of water that may be required for irrigation as well as home use.

Purchasers of lots at the auction sale were guaranteed a 15% discount off the regular water rate in perpetuity.

Perhaps the most extravagant promise made in the Olney & Middleton auction ad was that 12 blocks, containing 60 acres, would be set aside as a “magnificent park and garden,” and that a “commodious hotel” would be erected “at once.”



Also, articles of incorporation of the Berkeley Villa Land and Water Company—organized for the purpose of supplying water to the residents of the Berkeley Villa Tract and vicinity. Capital, \$500,000, in shares of \$100 each. Directors—Henry B. Berryman, Fred. M. Berryman, J. M. Miner, F. Chappellet and P. Ostrander. The principal place of business will be in San Francisco.... Also, articles of incorporation of the

Figure 44. Incorporation notice in the *Sacramento Daily Union*, 27 October 1875

In August 1877, Berryman bought out Chappellet's interest in the water company<sup>11</sup> and built Berryman Reservoir on Codornices Creek. When the Central Pacific Railroad extended its Berkeley Branch Line from downtown Berkeley to Shattuck and Vine Street, the new train depot became known as Berryman Station. Chappellet, in his turn, took over the sixteen western blocks of the Berkeley Villa Association tract. By the spring of 1877, he had subdivided many of the lots into smaller ones, each a third of the original parcels' size.

In May 1877, Chappellet put 150 lots on the auction block. The announcement of the upcoming sale promised:

The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

The announcement provided the time table of the Berkeley Branch Railroad, with nine daily departures from San Francisco to Berkeley and nine in the opposite direction (Fig. 45).

MAURICE DORE. **Map of the** H. A. COBB.

# BERKELEY VILLA TRACT,

## 150 Large Lots to be sold at Auction,

On TUESDAY, May 15th, 1877, on the Grounds, at 1 o'clock P. M.

**TERMS:** One thousand dollars, or over, one-fifth Cash, balance in one, two and three years, secured by Mortgage, with Eight per cent. per annum interest. Under one thousand dollars, one-quarter Cash, and balance same as above.

**Time Table Berkeley Branch.**

From	7.30 a. m.	From	7.30 a. m.
San Francisco	8.30	Berkeley	8.30
	9.30		9.30
	10.30		10.30
	11.30		11.30
to	1.00 p. m.	to	1.00 p. m.
Berkeley.	4.00	San Francisco.	4.00
	5.00		5.00
	6.00		6.00

N. B. Title to the above property perfect. For particulars and Maps, apply at our office. The particular location of this property, its proximity to San Francisco, fine climate, the easy terms upon which it will be offered, commend it to particular favor and attention of the public.

**MAURICE DORE & CO.,** Real Estate Auctioneers,  
Dr F. CHAPPELLET, Berkeley, C.P.R.R. Terminus. 410 Pine Street, San Francisco.

Figure 45. Lot 9 (red), Block 16 in auction announcement, May 1877

<sup>11</sup> William Warren Ferrier. *Berkeley, California: The Story of the Evolution of a Hamlet into a City of Culture and Commerce.* Berkeley: William Warren Ferrier. 1933

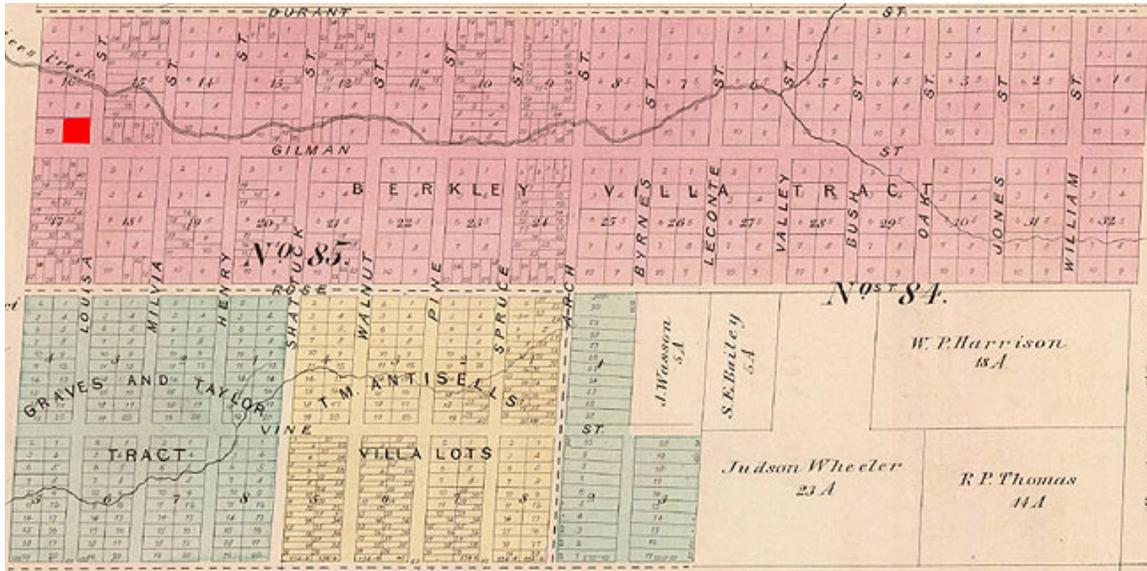


Figure 46. Future Payson parcel (red), Berkeley Villa Association tract  
(Thompson & West Map No. 18, 1878, David Rumsey Map Collection)

### Early settlers in the neighborhood

The blocks situated around the intersection of Berryman Street and Bonita Avenue—originally named Gilman (for U.C. president Daniel Coit Gilman) and Louisa (for Henry Berryman’s wife)—saw their first lot purchases in the latter half of the 1870s, but most of those lots remained vacant, and the area retained its rural character.

The earliest structure, a one-story house, built c. 1878 by the French-born cook James Souffrain and his wife Caroline, stood on the northern bank of Codornices Creek, at 1221 (today’s 1227) Bonita Avenue. That house was replaced in 1916.

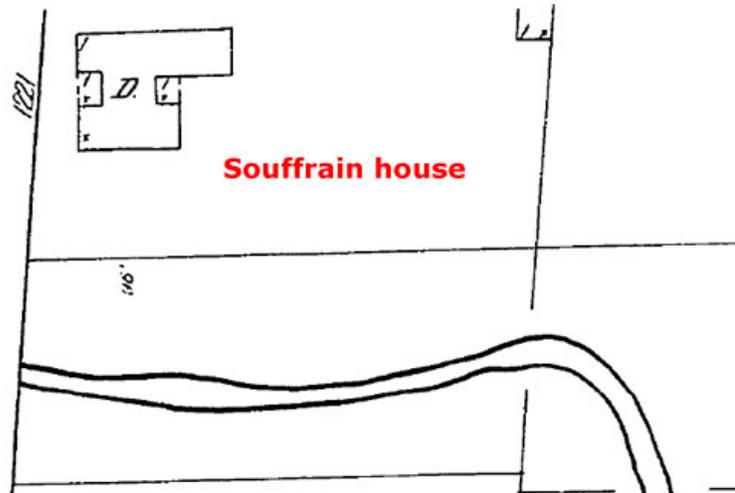


Figure 47. Sanborn map, 1911

As early as 1880, Henry and Louisa Berryman, who owned the entire block south of Berryman Street and west of Bonita Avenue, were assessed \$500 for a structure that stood on a parcel comprising today's 1308 to 1312 Bonita. This structure was joined in 1888 by a larger Berryman-owned house on the southwest corner of Louisa and Gilman streets, later 1304 Bonita Avenue. The corner house was home to Henry Berryman's brother, **Frederick Miles Berryman**, and his wife Susan, who acquired it circa 1900. The house was still standing in the late 1960s, albeit on a much-reduced lot, but has since been demolished and replaced in 1972 with a three-story, 24-unit apartment building.



Figure 48. *Fallen Leaf Lake*, by R.J. Waters, 1886 (University of Nevada, Reno)

In 1881, a third house was built on the southeast corner of Gilman and Louisa (today's 1301 Bonita Avenue). This house was the home of California pioneer George Gilbert Waters who, with his wife Lydia Milner Waters, crossed the Plains to California in 1855.<sup>12</sup>

Lydia died in Monterey in 1881, and George settled in Berkeley.

By 1885, the house belonged to his famous son, **Raper James Waters** (1856–1937), a photographer who established a successful studio in San Francisco and is known for his artistic landscapes (e.g., Lake Tahoe Series); images of gold-mining towns (e.g., Comstock Series);<sup>13</sup> and San Francisco before, during, and after the 1906 Earthquake and Fire. Much of his pre-1906 work perished, but four of his early shots of U.C. Berkeley landmarks survive in the University Archives.<sup>14</sup>

<sup>12</sup> Lydia Milner Waters. "Account of a Trip across the Plains in 1855." *Quarterly of the Society of California Pioneers*, March 1929, pp. 59–79.

<sup>13</sup> Many early photographs by R.J. Waters & Co. are in the Special Collections Department of the University of Nevada, Reno Library.

<sup>14</sup> <https://oac.cdlib.org/findaid/ark:/13030/kt429003bb/dsc/>

The Waters house stood on a very large lot that remained undivided in 1911, as shown in the Sanborn map to the right.

Beginning in 1913, the Waters parcel was subdivided, and houses were built on it, numbered 1301 to 1325 Bonita Avenue. The corner building, an attractive Mediterranean-style fourplex at 1301 Bonita, was constructed in 1922 by investor Gilbert B. Ocheltree, who made his own home in a duplex at 1307-09 Bonita.

In later years, a notable owner of the Ocheltree duplex was famed botanist **Dr. Mary Leolin Bowerman** (1908-2005), co-author of *The Flowering Plants and Ferns of Mount Diablo, California; Their Distribution and Association into Plant Communities*, and co-founder of Save Mount Diablo.



Figure 49. Sanborn map, 1911



Figure 50. Mary Bowerman in her Nash Junior car at the top of Mount Diablo, June 1930  
(courtesy of Save Mount Diablo)

The Sanborn map below shows outlines of the houses that were built between 1880 and 1903 on the blocks directly south of Berryman Street, between Grove (MLK Jr. Way) and Milvia streets. Because the area north of Berryman Street was still sparsely developed, the Sanborn Map Company did not survey it until the 1911 edition.

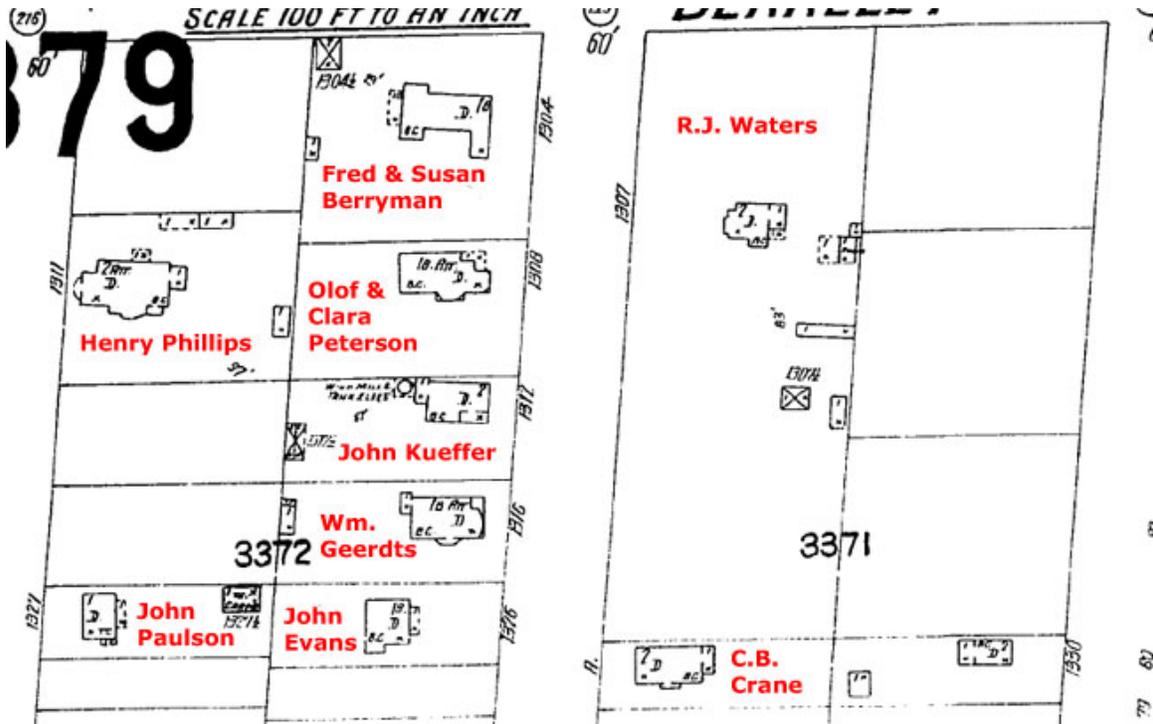


Figure 51. Early houses in Blocks 17 (left) & 18, south of Berryman Street and east of Grove Street (Sanborn map, 1903)

### William H. & Esther L. "Etta" Payson

The Payson House was the fourth dwelling erected in the neighborhood, and the first on its block. Prior to building this house, the Paysons, who married in 1885, resided for two years on Fulton Street, between Dwight and Channing ways.

**William Hawes Payson** (1855–1914) was born in Boston and grew up in Fairmount, a predecessor to Hyde Park, Massachusetts. His father, Jesse Wentworth Payson (1815–1899), was the nation's foremost penmanship expert. At a time when handwriting was the means by which most documents were created, Jesse W. Payson's copybooks were used in schools throughout the United States. Head of the Payson, Dunton & Scribner publishing house and author of *The Payson, Dunton, & Scribner Manual of Penmanship* (still in print today), Jesse Payson was one of Fairmount's 20 founders in 1855. His biography in the *Fairmount Bulletin* recounts:

Jesse W. Payson was born Nov. 6, 1815, in Hope, Me., and died in Hyde Park Sept. 17, 1889. He was educated in the common schools of that town, and in the Waterville Institute. As an author of writing books his name became a household word in this country. He it was who first gave to students a scientific analysis of script writing, and he originated the lithograph copy for common school writing books. From 1861–1877 Mr. Payson was a member of the Faculty at the Polytechnic Institute, Brooklyn, N. Y. As professor of penmanship and bookkeeping he taught thousands of pupils, among them many of the distinguished men of the

country, including President Eliot of Harvard College, and ex-Mayor Seth Low of New York. He was the Secretary and one of the Directors of the Park Bank in Brooklyn for several years. Mr. Payson was the author of a popular series of works on bookkeeping, and was called as an expert to adjust accounts in important cases. Mr. Payson's skill in writing brought him many medals, including one given at the Centennial in Philadelphia. He was a man of generous impulses, and advanced in his christian [sic] views. At the twentieth celebration of Hyde Park anniversary in 1888, he responded to the toast "The Twenty Associates." Mr. Payson's first wife died at Union, Me. His second wife, well known in the world of letters, died in Hyde Park in 1906. He had two children, W. H. Payson, now of San Francisco, and Mrs. Matilda Cushing, a former Fairmount school teacher, who married again, moved to Maine and is now deceased.<sup>15</sup>



Figure 52. Jesse Payson (in "Hyde Park")<sup>16</sup>

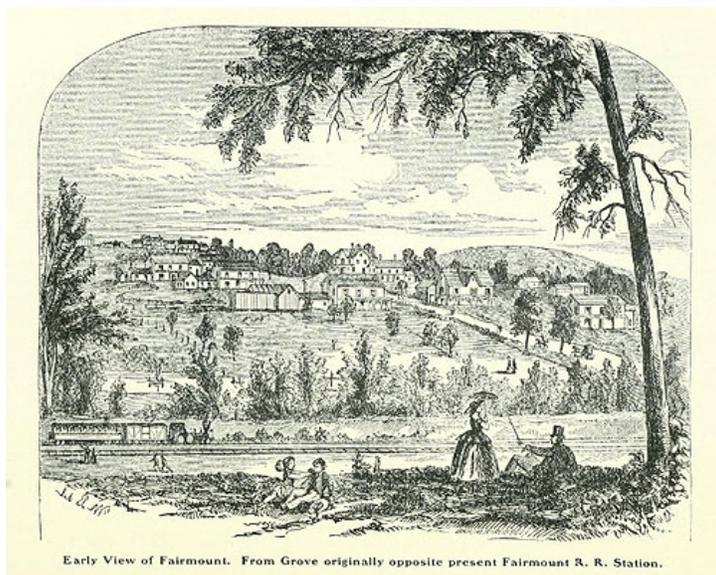


Figure 53. Early view of Fairmount (The Fairmount Bulletin, 1906)

Young William attended the Boston Public Latin School in the class of 1870. He went on to the Brooklyn Collegiate and Technical Institute while his father was teaching there and obtained his B.A. in 1876. Returning to Massachusetts, he enrolled at the Boston University School of Law, receiving his LL.B. degree in 1880. Poor health compelled him to move to California, where he practiced law, co-founded the First Unitarian Church of Berkeley, and fought against corruption in politics. The following obituary and a eulogy by Professor William Carey Jones were published in the *Pacific Unitarian* shortly after Payson's death:

#### **William H. Payson.**

Among the most faithful Unitarian workers of the Pacific Coast, Mr. William H. Payson of Berkeley has long been prominent. He served as President of the Berkeley Church, President of the Unitarian Club, and Secretary and director of

<sup>15</sup> "Twenty Associates" in *The Fairmount Bulletin*, Vol. II, No. 1, April 1906, p. 12.

<sup>16</sup> Anthony Mitchell Sammarco. *Hyde Park*. Arcadia Publishing, 1996.

the Pacific Coast Conference. He was also a member of the Board of Trustees of the Divinity School, and in season and out of season, was ready to give of his time or counsel for any good cause of church or state.

He was born February 16, 1855, in Boston, his father being the head of the old publishing firm of Payson, Dutton [sic] & Scribner. He obtained his education in Boston, studied law, and was admitted to the Bar in Boston before he came to California.

Owing to ill health and threatened tuberculosis, he was compelled to leave that climate, and came to California in a sailing ship around the Horn, arriving here in 1881. This voyage dissipated the germs of tuberculosis, but he never was a robust man, in fact it is remarkable how much work he was able to accomplish with his weakened constitution. He was married in San Francisco on August 12, 1885, to Ella [sic] L. Tripp, who survives him.

He was deeply interested in all public matters, always as a reformer, and social problems always had his best thought. He was a quiet, persistent worker, always contending for right, truth and justice, and he abhorred fraud, oppression and wrong, but he never was bitter, nor did he ever create any antagonism, but as was said by Frank J. Heney,<sup>17</sup> in a letter just received by Mrs. Payson, "he was a gentle but courageous soul."

His death was wholly unexpected and preceded by no illness that kept him from his work. The end came without warning from heart failure, on the morning of September 5th.

The funeral service from the church at Berkeley was particularly impressive and tender. It was conducted by the minister, Rev. Arthur Maxson Smith. Rev. F. L. Hosmer spoke with tender feeling, voicing his respect and debt of gratitude, and Professor William Carey Jones, a long-time friend and co-worker, paid this well-merited tribute to his worth and character.

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"William H. Payson, good lawyer, good citizen, good church member, good friend, good man, was directed in all the relations of life by the spirit of righteousness. An able and successful lawyer, he was well grounded in the principles of human right, and pursued his calling to the end of attaining justice and never more than justice. Litigiousness was ever far from his field of thought. A satisfactory, permanent and human adjustment of conflicting claims was always his aim. His fine soul abhorred vice and wrongdoing, but his generous spirit was tolerant of the shortcomings of his fellow men.

"He was an active participant in the Commonwealth Club of California, of the City Club of Berkeley, of the Unitarian Club of California, and of the Berkeley Unitarian Club. He was zealously concerned in all the broader civic purposes fostered by these organizations. The improvement of the machinery of both civil and criminal procedure; the sanitation, both material and moral, of our communities; the unbuilding of our schools—these were but a few of the civic problems in whose solution he participated. A more congenial sphere, it seems to me, however, was within the field of politics. He did not wait for the presence of the spiritual movement manifest in the present century, which is bringing about a nobler view of political obligation. His work, his constant, though unobtrusive endeavor during thirty years, was with and of those who have produced the

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<sup>17</sup> Francis J. Heney was the District Attorney who prosecuted corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef following the 1906 Earthquake and Fire.

conditions resulting in the purer political atmosphere of today. The wisdom of his counsel and the safety of his leadership were apparent on all occasions.

“His energetic promotion of the League of Justice and his high position therein, contributed to the sounder morals of civic, political and business consciousness in the State of California. Herein Mr. Payson’s singleness of aim, high-mindedness, humaneness and generosity, were most abundantly exemplified. Among the many who joined that crusade, some became self-seekers, some were drained dry of the milk of human kindness, some became embittered, envious, vindictive, venomous. But never for a moment did he lose his high ideals, and while seeking to encompass the great purpose of the crusade looked with pity or sympathy upon his less sincere and noble fellow men.

“He was one of the founders of the First Unitarian Church of Berkeley, and during many years was a trustee thereof—being frequently the President of the Board. Eminently practical in all his counsels for the development of our society, there was a piety and a religiousness of spirit that animated all his work. He was the wise adviser in the progress of the church from its first beginnings in the room underneath Odd Fellows Hall on Addison Street, to its temporary lodgment in Stiles Hall, and its final settlement in its present house of worship. He has been President of Unity Hall Association, and has been one of the leading agents in enlarging the scope of the church’s work through the acquisition of the Unity Hall property. His promotion of the objects of the Unitarian Clubs in San Francisco and Berkeley have been inspired partly by his interest in civic improvement and partly by his earnest intent to advance a simple and sincere religious tone through the community. His fostering of the Unitarian School for the Ministry, and his participation in both local and national conferences of the Unitarian fellowship speak for his devotion to the general cause of liberal Christianity.

“As friend and man, his sympathies and relations were no different from what they were in various social groups. In the closest intimacies of friendship; in the church board meetings; in the congregation, whether in business or social gathering, or on formal occasions; in club meetings, civic, political, religious, he was always just the same simple, upright soul. There were with him never two ways of looking at conduct—a social and a personal. His was always the conduct of man to man.

“Good friend, noble man—your memory shall linger with us as an inspiration and a benediction.”<sup>18</sup>

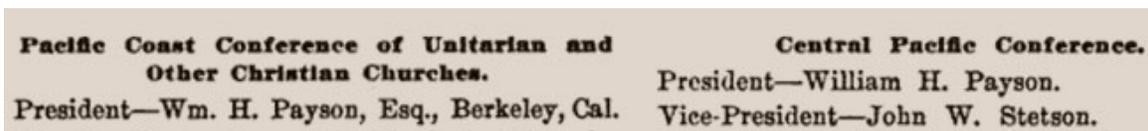


Figure 54. *The Pacific Unitarian*, October 1907

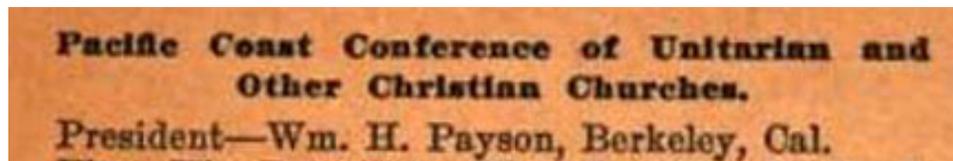


Figure 55. *The Pacific Unitarian*, October 1910

<sup>18</sup> *The Pacific Unitarian*, Vol. XXII, No. 12, October 1914, pp. 320–321.  
<https://archive.org/details/pacificunitarian2219131914willb/page/n369/mode/2up>

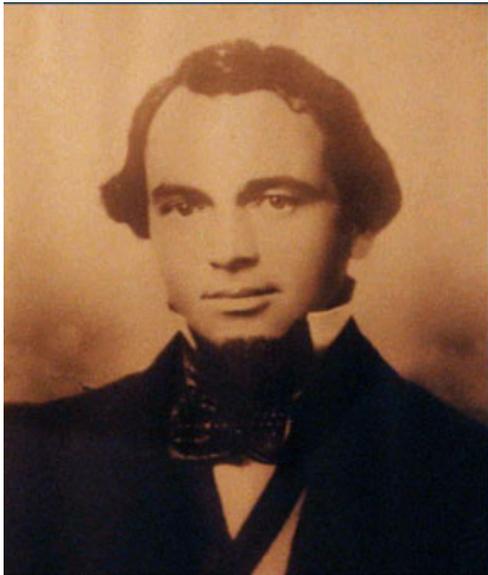


Figure 56. Isaac Tripp (courtesy of Bob Waldman)<sup>19</sup>



Figure 57. Etta Tripp (Rieman & Co., San Francisco)<sup>20</sup>

**Esther L. “Etta” Tripp** (1863–1947), the daughter of California pioneers, was born on a farm in Butte City, near Jackson, Amador County. Her father, Isaac Tripp (1829–1870), was a founding member of the Amador Agricultural Society and an award-winning fruit grower. At the first Amador County Fair, held in October 1862, Isaac Tripp exhibited the following varieties:

Grapes—Black Hamburg, Black Morocco (very large), White Muscat of Alexandria  
Apples—Baldwin, King, Pelton Smith cider; Roxbury russet, Rambo, twenty ounce  
Pears—Bartlett, Winter Nellis, Stevens’ Genessee  
Quince—Orange  
Blackberry wine; elderberry wine.<sup>21</sup>

At the second annual fair, it was reported,

The largest number and variety was the contribution of Isaac Tripp, consisting of no less than thirteen varieties of apples, five of pears, eighteen of grapes (as fine as any we have ever seen) and some fine quinces. [...]

Mr. Tripp also contributed specimens of blackberry wine and grape wine, which our taster pronounced unexceptionable, even to a Templar, being the “pure juice” unadulterated — such as “maketh the heart glad.”<sup>22</sup>

<sup>19</sup> <https://www.findagrave.com/memorial/21719868/>

<sup>20</sup> <https://www.ancestry.com/family-tree/person/tree/71374321/person/350146103944>

<sup>21</sup> “Amador Agricultural Fair.” *Sacramento Daily Union*, 14 October 1862, page. 1.

<sup>22</sup> *California Farmer and Journal of Useful Sciences*, 2 October 1863.

Isaac Tripp died prematurely while working his mining claim. On 28 May 1870, the *Jackson Ledger* reported:

On Friday, the 20th inst., our citizens were shocked to hear that Isaac Tripp, one of our most estimable citizens, had been killed. He was mining in the Butte Basin, and while working under a bank with a hydraulic pipe a large mass of earth became detached, and without a moment's warning, fell, burying him under it. The only person near him was a Chinaman, who immediately gave the alarm, when parties went to his relief, and arriving at the spot could see nothing but a mass of earth. The hydraulic pipe was immediately turned on, and in about ten minutes his lifeless remains were unearthed. The Chinaman, being a few feet below him at the time, escaped uninjured, though the dirt came around him pretty thick.

Isaac's widow, Irene (Park) Tripp, remarried in January 1875, when Etta was twelve years old. The new husband, a pioneer Siskiyou County farmer named Edward White Conner, was a widower with five sons aged six to 16. Irene brought her youngest child, Helen, to her new home, where both were enumerated in the 1880 U.S. Census. The other Tripp children appear to have been scattered. Etta was informally adopted by Judge Harmon J. Tilden (1824–1916) and his wife, Mary Jane (1830–1911), of San Francisco. The 1880 U.S. Census enumerated Etta as an adopted daughter of the Tildens, residing with them at 1132 Valencia Street, along with the Tildens' son, Charles Lee Tilden (1857–1950), who would become first president of the East Bay Regional Park District. It is not clear whether there was a blood connection between the Tripps and the Tildens, but Etta's older brother's middle name was Tilden.

William Payson and Etta Tripp were married on 12 August 1885 and built their house in 1889. The contracting firm was Lord & Boynton, one of Berkeley's most prominent at the time. During the same year, Lord & Boynton built the Peralta Park Hotel for famed actor Maurice B. Curtis, as well as Curtis's own home and other prestigious projects.<sup>23</sup>

On 12 July 1891, two years after moving into the new house, William Payson co-founded the First Unitarian Church of Berkeley. Two weeks later, when the church's first board of trustees was elected, Payson was voted in as the first secretary.

Another member of that first board of trustees was Prof. Henry Senger, for whom another noted Unitarian, Bernard Maybeck, would design a house in 1907.

Bernard and Annie Maybeck soon followed the Paysons to their remote neighborhood.<sup>24</sup> In April 1892, the Maybecks were reported to be building a cottage on the corner of Gilman and West streets (now Berryman and Martin Luther King, Jr., Way).<sup>25</sup> The Maybeck house, which Charles Keeler described as "a distinctly hand-made home," must have made an impression on the neighbors and influenced them to shingle the exteriors of their own homes.

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<sup>23</sup> Daniella Thompson. "Peralta Park Grew in the Shade of Giants." 2006.  
[http://berkeleyheritage.com/eastbay\\_then-now/peralta\\_park1.html](http://berkeleyheritage.com/eastbay_then-now/peralta_park1.html)

<sup>24</sup> Daniella Thompson. "Maybeck's First House Was a Design Laboratory." 2007.  
[http://berkeleyheritage.com/berkeley\\_landmarks/maybeck\\_on\\_grove.html](http://berkeleyheritage.com/berkeley_landmarks/maybeck_on_grove.html)

<sup>25</sup> *Berkeley Daily Advocate*, 28 April 1892.

Like the Paysons, the Maybecks were the only residents on their block for a number of years.



Figure 58. Bernard & Annie Maybeck House in 1902  
(Dimitri Shipounoff collection, BAHA archives)

In January 1894, the *San Francisco Morning Call* reported that the trustees of the First Unitarian Church were about to “raise funds for the erection of a new church edifice by the issue of bonds at a low rate of interest.”

A short time ago a fine lot, 150 by 170 feet on the corner of Bancroft way and Dana street was purchased. It is on this site that the new church edifice will be erected. It will be of stone and as fine in its way as the Unitarian Church of Oakland. The cost will not be less than \$20,000. Architect Maybeck is now at work on plans and designs for the new church, and they will be considered by the trustees in the immediate future.<sup>26</sup>



Figure 59. First Unitarian Church (A.C. Schweinfurth, architect, 1898)

<sup>26</sup> “A New Church.” *The San Francisco Morning Call*, 29 January 1894, page 3.

The \$20,000 was never raised, and Maybeck's plans were not executed. When the new church, designed by Albert Cicero Schweinfurth, was finally built in 1898, the estimated cost was reported to be a modest \$3,695.<sup>27</sup>

William Payson fostered the Pacific Unitarian School for the Ministry (later renamed Starr King School for the Ministry), founded in 1906, and acted as trustee on the school's first board.<sup>28</sup>

In addition to his leadership of numerous Unitarian organizations and endeavors, William Payson was a tireless political reformer, fighting for fair voter representation<sup>29</sup> and active in the anti-graft movement that led to the prosecution of corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef.<sup>30</sup> Francis J. Heney, who prosecuted Schmitz and Ruef for bribery, called Payson "a gentle but courageous soul."<sup>31</sup>

In about 1892 or '93, Etta's mother, Irene A. Conner (1831–19??), and the latter's youngest daughter, Helen S. Tripp (1870–1903), arrived in Berkeley. Helen was assessed in 1893 on a cottage adjacent to the Payson House. The shingled one-story cottage still stands at 1234 Bonita Avenue. Irene and Helen were first listed in the Berkeley directory in 1894. The 1900 U.S. Census enumerated them as residing in the Payson household.

Helen Tripp, who worked as a stenographer, died on 26 March 1903 in a homeopathic sanatorium. The cause of death was acute nephritis, brought about by diabetes mellitus. A few weeks before her death, Helen's cottage was sold to Ernestine Wollenberg, daughter of San Francisco merchant Louis Wollenberg and his wife Fanny. The Wollenbergs brought their five children to Berkeley so that they could be educated here. The family lived at 1234 Bonita Avenue until 1912.

Louis Wollenberg (1841–1910) is best known today as the great-grandfather of Berkeley historian Charles Wollenberg, who recounted an oft-heard story in a recent e-mail:

I believe the Maybecks lived around the corner, and they became friendly with my great grandfather. Bernard Maybeck apparently helped him do some carpentry on the cottage. My great-grandfather had immigrated from Germany in the late 1850s and, during the next 40 years or so, failed in several business ventures in the West. But he had a reputation for telling good stories of his real or imagined western adventures to the neighborhood kids. There's a legend in both the Maybeck and Wollenberg families that when their son was born, Annie and Bernard refused to name him, allowing him to choose his own name when he was 6 or 7. When the time came, "Boy" Maybeck said he'd like to be named Wollenberg, after the old man who told such neat stories. This was a bit too much for his parents, but they compromised and agreed to the name Wallen. I guess the fact that the story is told in both families gives it some credibility.<sup>32</sup>

<sup>27</sup> *The San Francisco Call*, 27 May 1898, page 9.

<sup>28</sup> "Berkeley to Have School for Unitarian Ministry." *The San Francisco Call*, 13 May 1906, page 12.

<sup>29</sup> "Citizens Denounce Courthouse Ring." *The San Francisco Call*, 18 July 1908, page 5.

<sup>30</sup> "Flays Nieto for Shielding Ruef." *The San Francisco Call*, 2 February 1908, page 32.

<sup>31</sup> In a condolence letter to Etta Payson, quoted in Payson's obituary published by *The Pacific Unitarian*.

<sup>32</sup> Charles Wollenberg in an e-mail sent to the recorder on 19 May 2020.



Figure 60, Tripp-Wollenberg cottage, 1234 Bonita Avenue (Google Street View)

In 1904, there was no listing for the Paysons in the Berkeley directory. Instead, the occupants of 1915 Berryman Street were Ross Morgan (1867–1917), a civil engineer, and his wife, the artist Charlotte Elizabeth Bodwell Morgan (1867–1947), a noteworthy member of the Carmel and Berkeley art colonies.<sup>33</sup>



Figure 61. Carmel Mission by Charlotte Morgan (Bodega Bay Heritage Gallery)

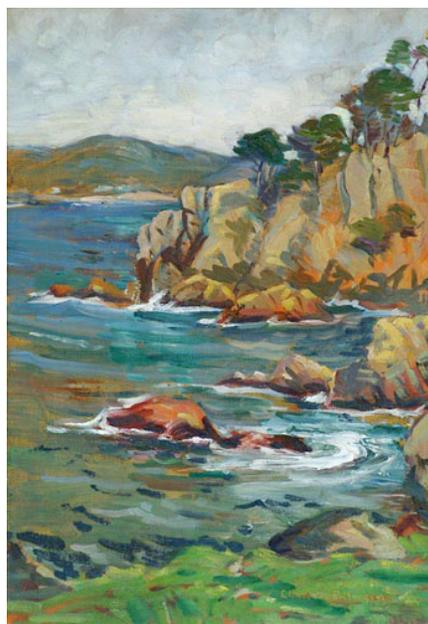


Figure 62. Carmel Coast by Charlotte Morgan (Bodega Bay Heritage Gallery)

<sup>33</sup> Charlotte Morgan's biography was published in *Jennie V. Cannon: The Untold History of the Carmel and Berkeley Art Colonies, Vol. 1* by Robert W. Edwards (Oakland: East Bay Heritage Project, 2012). <http://www.tfaoi.com/cm/10cm/10cm111.pdf>

William Payson died on 5 September 1914, aged 59. After his death, Etta went to live with the misses Katherine and Bertha Brehm in their house at 2709 Benvenue Avenue. Bertha Brehm, a music teacher, was the Unitarian Church's first organist.



*Figure 63. The organ at First Unitarian Church (BAHA archives)*

By 1920, Etta Payson had moved again. She was now living with the Charles Lee Tilden family in their villa at 1031 San Antonio Avenue, Alameda. Later in that decade, she settled in Alaska, where her elder brother, Herman Tilden Tripp (1859–1939), a mining engineer and politician, had been living since 1898. Following Herman's death, Etta returned to Berkeley, where she spent her last years in an apartment at 2649 Benvenue Avenue.

### **Neighborhood growth**

As late as 1906, the Paysons and the Wollenbergs were the only residents on Block 2449. Limited public transportation to the area delayed development of northwest Berkeley.

In 1899, William J. Dingee's Map of Oakland and Vicinity (Fig. 64), which showed real estate and electric railways of the Realty Syndicate, revealed a single train track on Shattuck Avenue that terminated at Rose Street.

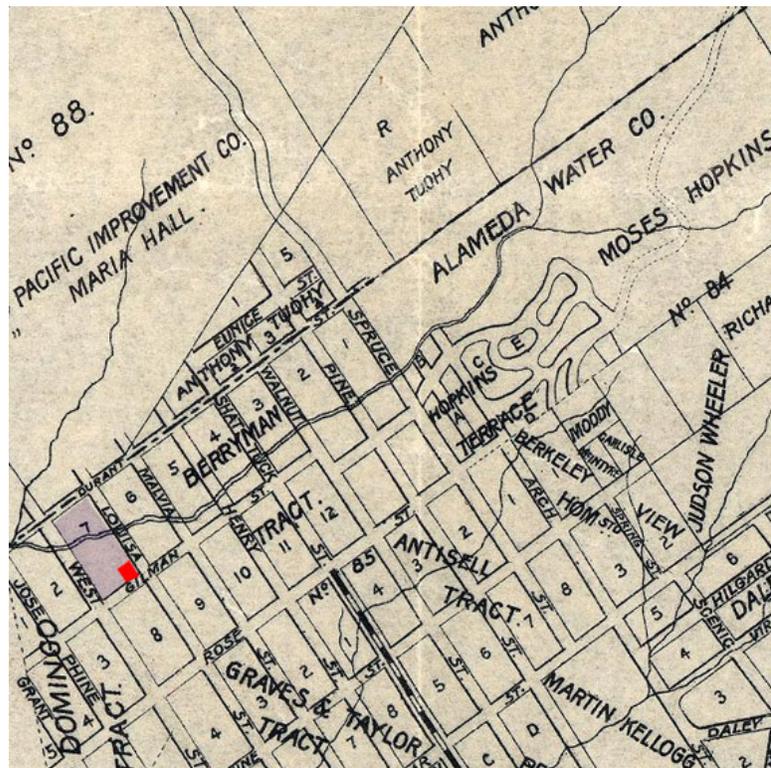


Figure 64. Dingee's Map of Oakland & Vicinity, 1899<sup>34</sup>

It wasn't until 1903, when the Key System of electric streetcars was introduced in Berkeley, that building in the Berkeley Villa Association tract gained momentum. Mass migration of San Franciscans to the East Bay in the wake of the 1906 Earthquake and Fire accelerated building activities, as Berkeley's population tripled from 13,214 in 1900 to 40,434 in 1910.



Figure 65. Kelly Flats (c. 1904), 1939-45 Berryman Street at Milvia

<sup>34</sup> David Rumsey Map Collection.

In January 1912, the opening of the Northbrae Tunnel for service enabled Southern Pacific electric trains to run north beyond Rose Street, providing an additional transport option for the growing suburban districts.

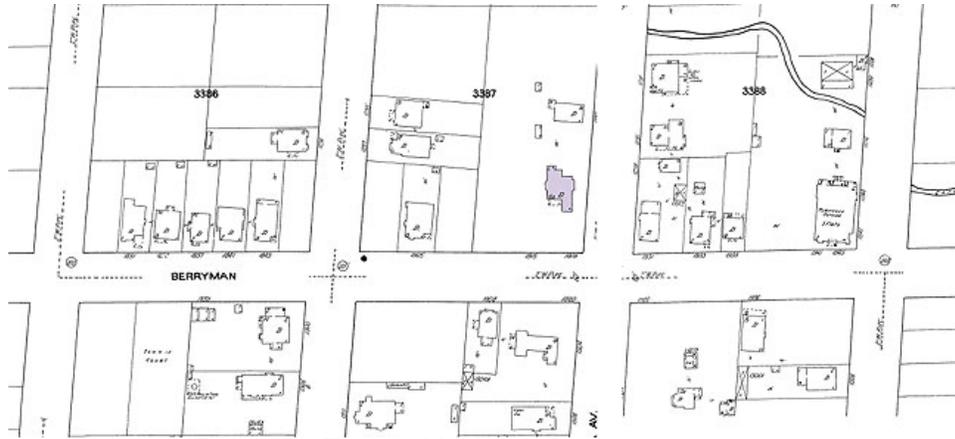


Figure 66. The neighborhood in 1911 (Sanborn map)

A real-estate map published by Lederer, Street & Zeus in 1914 (Fig. 67) shows three commuter transport lines in the vicinity of the Payson House.

The orange line running along Sacramento and Hopkins streets represented the Key Route's commuter line; The red line running on Grove Street and The Alameda stood for the local streetcar lines that crisscrossed Berkeley; and the green line, which ran on Shattuck Avenue, Sutter Street, and through the Northbrae Tunnel, represented the Southern Pacific Railway.

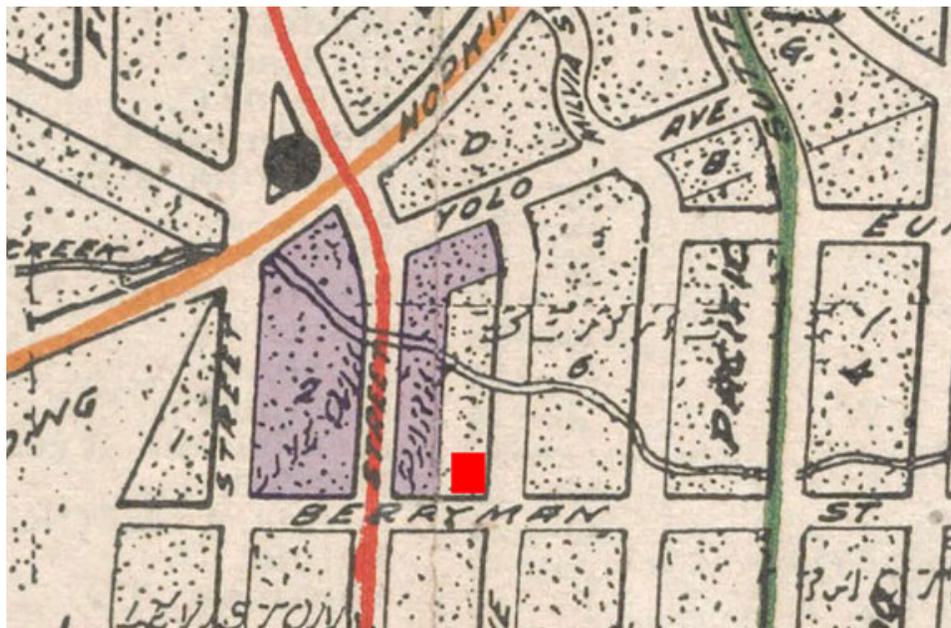


Figure 67. Public transport lines and proposed Live Oak Park site near the Payson House (Lederer, Street & Zeus Map of Berkeley & Vicinity, 1914)

An interesting detail in the Lederer, Street & Zeus map is the siting of the proposed Live Oak Park directly to the west of the Payson House,<sup>35</sup> or three blocks away from where the park would actually be established after the city purchased the O'Toole and Penniman estates in 1914.<sup>36</sup>

The 1920s saw the neighborhood become almost fully built up. The 1929 Sanborn map shows mostly single-family residences but also half a dozen flats, the largest of which remained the Catherine & Francisco Kelly Flats, a Mission Revival structure, built c. 1904 on the northwest corner of Berryman and Milvia streets (Fig. 65).



Figure 68. The area in 1929 (Sanborn map)

### Lord & Boynton, builders of the Payson House

The construction firm of Lord & Boynton was short-lived, but it managed to make a deep impact during its brief existence. This company was created when two pioneer Berkeley builders—both civic leaders—came together to undertake a gigantic number of projects that no single contractor could have handled.

**Carlos Reuben Lord** (1831–1914) was born in Aurora, Ohio, where his parents had come from New England. His father was a well-to-do farmer, but by the age of 18, Carlos was no longer living at home, possibly because there were six younger siblings in the house. The 1850 U.S. Census enumerated him as having attended school within that year and residing with an Aurora farming couple in their early twenties.

In 1854, Carlos Lord married Lucia Almira Stocking (1832–1928). By 1860, the couple had moved to Jefferson, Missouri, where Carlos was listed as a wagon

<sup>35</sup> The park plan shown in the map included Block 2 in the adjacent Jose Domingo Tract.

<sup>36</sup> Susan Schwartz. A History of Berkeley's Live Oak Park. 2014. <http://www.bpfp.org/wp-content/uploads/LiveOakPark.pdf>

maker. The Lords now had a son, 4, and a daughter, 2. In 1870, now living in Cameron, Missouri, Carlos worked as a clerk in a store and was a father to five children aged 2 to 14.

Carlos Lord was first registered to vote in Berkeley on 18 February 1878. That year, he was listed in the Berkeley city directory as Charles R. Lord, carpenter, resident on the north side of Vine Street, between Spruce and Pine (now Oxford) streets.

The following sketch of Lord's life was published in the *San Francisco Morning Call* in November 1894. Running for the office of Justice of the Peace in Berkeley Lord was nominated by the Alameda County Non-Partisan Convention, whose candidates the newspaper called "a splendid list," "good men all," and "animated by unselfish sentiments."<sup>37</sup>

**C. R. LORD.**

**A Citizen of Berkeley Who Commands Confidence.**

C. R. Lord, past commander of Lookout Mountain Post, G. A. R. of Berkeley, was born in Ohio, December 12, 1831, and was educated in the public schools of that place. At the call of President Lincoln he enlisted in the First Missouri Cavalry, U. S. A., and served about two years and was honorably discharged for disability. After the war he was appointed Postmaster under President Lincoln. He was elected Justice of the Peace at Alta Vista, Davis County, Mo. He came to California in 1874, remained in San Francisco for three years, and came to Berkeley in 1877, one year before Berkeley was incorporated, having resided there since. He has served the town as Justice of the Peace six years, as Marshal and Tax Collector, ex-officio Superintendent of streets, two years, as Trustee three years, and at this time is the nominee of the Non-Partisan convention of Alameda County for the office of Justice of the Peace for the town of Berkeley.



Figure 69. Carlos Reuben Lord  
(*SF Morning Call*, 5 Nov. 1894)

Carlos Lord became involved with the nationally famous stage actor Maurice B. Curtis ("Sam'l of Posen") when the latter was beginning to develop the Peralta Park tract. In May 1888, Lord was named one of the directors of the just-incorporated Peralta Park Hotel Company.

The Peralta Park Hotel Company has incorporated to purchase an eligible site in Peralta Park tract in Oakland township, near Berkeley, and to erect and maintain a hotel to be known as the Hotel de Peralta, and also to deal in property connected with the enterprise. The Directors are: M. B. Curtis, A. P. Gunn, C. R. Lord, A. H. Emery, C. A. Goodwin. The

<sup>37</sup> "Good Men All." *The San Francisco Morning Call*, 5 November 1894, page 4.

capital stock subscribed is \$37,775. There are sixty-nine subscribers to the enterprise.<sup>38</sup>

In July 1888, Lord was awarded the hotel's construction contract:

The contract has been signed by C. R. Lord and the Peralta Park Hotel Company for the construction of the hotel. Mr. Lord will commence work at once, and hopes to have the building completed by January 1, 1889.<sup>39</sup>

It was in the latter half of 1888 that Carlos Lord and Ira Boynton joined forces to construct an impressive number of large projects that included not only the hotel but several large residences in Peralta Park, various houses in other parts of town, and buildings for the town's two lumber mills. In early December of 1888, the *Berkeley Herald* announced:

Mssrs. Lord & Boynton have their hands full. They have commenced the erection of a ten-room house in Peralta Park for Alfred Lueders of San Francisco. It will cost \$4,500. For Joseph Hume also they will build a \$2,500 dwelling on Dwight Way.<sup>40</sup>

**Ira Alton Boynton** (1844–1921) was born in Jefferson, Maine to Amos and Rachel (Decker) Boynton. His father was a Baptist clergyman. In 1868, Ira married Canadian-born Margaret Salmon Fielding in Chelsea, Massachusetts. Their first child, Emma, was born in Illinois the following year.

According to his obituary in the *Berkeley Daily Gazette*, Ira Boynton came to Berkeley in 1877, but records show that he was already in Alameda County on 5 April 1875, when his second child, Laura, was born. In 1876, he was registered to vote in Alameda County's Fourth Ward, listed as a draughtsman. In 1878, he was listed in the Berkeley city directory as a carpenter living on Berkeley Way near Shattuck Avenue. By the following year, the Boyntons had moved to a new home, situated one block north, at 2032 College Way (now Hearst Avenue). Here they lived until 1895.



Figure 70. Ira A. Boynton

Like Carlos Lord, Ira Boynton was active in Berkeley's finance, municipal politics, and fraternal circles. In 1886, along with several other leading Berkeley businessmen, Lord and Boynton founded a bank.

<sup>38</sup> *Daily Alta California*, 21 May 1888, page 5.

<sup>39</sup> *Daily Alta California*, 23 July 1888, page 5.

<sup>40</sup> *Berkeley Herald*, 6 December 1888.

The Homestead Loan Association of Berkeley has filed articles of incorporation with the County Clerk. The Directors are C. R. Lord, John K. Stewart, Philip Monroe, Walter E. Sell, Otto Nichaws [Niehaus], M. M. Rhorer, George A. Embury, Ira A. Boynton and Clarence M. Hunt — all of Berkeley—and the capital stock is \$1,000,000, divided into 5,000 shares, of which 100 have been subscribed.<sup>41</sup>

Boynton also served as an elected official. In 1879, he was listed in the city directory as one of Berkeley's two Justices of the Peace. He ran again in 1886, but this time he fell short by two votes after a recount.

A. H. Morris, candidate of the Peoples' party for the office of Justice of the Peace of Berkeley, was dissatisfied at the announced result of the recent election, which gave the office to his opponent, Ira A. Boynton, by a majority of seven votes. Morris appealed to the Town Trustees, who sat as a Returning Board Wednesday evening and recounted the ballots, a privilege accorded by a section of the town charter. President Henley and Trustees Shattuck and Whitney were present. The result was that four votes were changed to Morris' account from Boynton's, thus giving Morris the office by a majority of two votes. Boynton was the candidate of the Citizens' Reform party.<sup>42</sup>

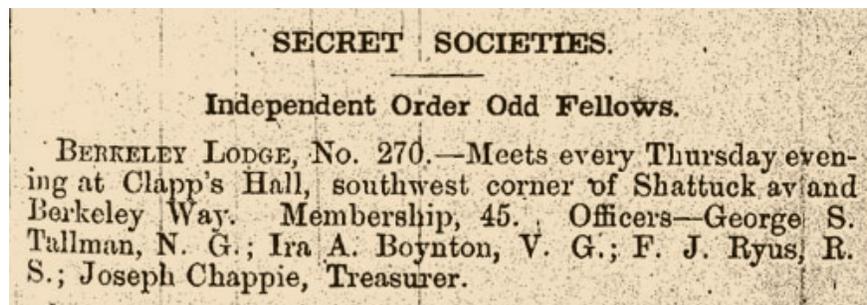


Figure 71. Bishop's Berkeley Directory, 1879-80

Boynton was a charter member of the Independent Order of Odd Fellows, Berkeley Lodge, No. 270 and also served as Chief Patriarch of the Oakland Encampment, No. 64 in the mid-1880s.<sup>43</sup> Members of the Berkeley Lodge met weekly at Clapp Hall, located around the corner from the Boynton residence. In 1884, the chapter incorporated a hall association in order to raise funds for a building of its own. Boynton was one of the five directors.

Articles of incorporation of the Berkeley Odd Fellows' Hall Association have been filed with the County Clerk. The capital stock is \$10,000. divided into 10,000 shares of \$1 each. The Directors are Frederick M. Husted, Walter Powell, Thomas Hann, Ira A. Boynton and Philip Sheridan, all of Berkeley.<sup>44</sup>

<sup>41</sup> *Daily Alta California*, 3 March 1866, page 5.

<sup>42</sup> *Daily Alta California*, 15 May 1886, page 4.

<sup>43</sup> *Daily Alta California*, 26 July 1885, page 2.

<sup>44</sup> *Daily Alta California*, 16 April 1884, page 4.

By 1885, the Berkeley chapter of the I.O.O.F. had erected its new building on the southeast corner of Shattuck Avenue and Addison Street, across the street from Berkeley Station. Other fraternal societies, including the Free Masons, the American Legion, and the Grand Army of the Republic, also met at the Odd Fellows' Hall, as did the First Unitarian Church in its early days.



Figure 72. Odd Fellows' Hall (1885), Shattuck Avenue & Addison Street

Although he was a prolific builder, no records of Ira Boynton's building activities prior to 1884 have been found. In his obituary,<sup>45</sup> for which information was furnished by his daughter, Laura Durgin, it was claimed that Boynton had been associated with A.H. Broad. An oral history conducted by BAHA staff in the 1970s with Boynton's granddaughter, Muriel Durgin Backman, points out his association with Horace Kidder. Neither claim appears to have been documented in print during Boynton's life. The earliest contemporaneous records found of his work date from May 1884. These show a house for his neighbor S.C. Clark (presumably on Berkeley Way); another for Boynton himself; and a third for Professor Eugene W. Hilgard at the latter's agricultural experiment station in Mission San José (now Fremont).<sup>46</sup>

Boynton's name began appearing more regularly in contract and completion notices after he teamed up with Carlos R. Lord in 1888.

By the end of 1889, Lord & Boynton could boast a long list of prestigious Berkeley projects completed that year. Published on 2 January 1890 in the *Berkeley Herald*, the list was peppered with top-drawer clients and included the construction of the Peralta Park Hotel at a cost of \$85,000.

<sup>45</sup> "Berkeley Pioneer Dies in Seattle." *Berkeley Daily Gazette*, 4 January 1921.

<sup>46</sup> *California Architect & Building News*, May 1884, page 91.



Figure 73. Peralta Park Hotel (Cheney Photo Advertising Agency)

**LORD & BOYNTON, BUILDERS**

Niehaus Bros. & Co. Mill, West Berkeley	15,000
Geo. C. Pape Mill, East Berkeley	2,500
Mrs. R. G. Lewis, Peralta Park, 8-room house	4,000
M. B. Curtis, Peralta Park, 8-room house and improvements	4,500
Dr. Robert Macbeth, Peralta Park, 10-room house and improvements	6,900
Harry S. Thompson, Peralta Park, 9-room house and improvements	3,000
J. A. Luders [sic], Peralta Park, 10-room house and improvements	4,900
Miss Anita Fallon, Peralta Park, 7-room house and improvements	4,000
Jos. Hume, 5-room cottage, Fulton and Channing way	1,800
Jos. Hume, 2-story house, Haste street	2,300
Jos. Hume, Dwight way, 9 rooms	3,200
Jos. Hume, Walnut street, 5 rooms	2,000
N. S. Trowbridge, Durant avenue	3,300
W. A. Ristenpart, Bancroft way, 7 rooms	3,000
T. M. [sic] Luttrell, Channing way, 7 rooms	2,150
<b>L. H. [sic] Payson, Gilman street, 6 rooms</b>	<b>2,000</b>
W. T. Lingard, Walnut street, 5 rooms	1,800
J. L. Barker, Cedar street, 7 rooms	2,100
L. Gottshall, Center street, 2 stores, 8 rooms	4,000
Daniel McMahan, University avenue, 7 rooms, barn and improvements	3,400
Geo. C. Pape, University avenue, 8 rooms	4,000
Lord & Boynton, Berkeley way, 8 rooms	2,800
Fritz Meyer, Seventh and Bancroft way, 5 rooms	1,500
Chris Johnson, Fourth and Addison, 4 rooms	1,000
Dr. Cook, Peralta Park improvements	3,600
I. A. Boynton, College way, 6 rooms	2,000
H. W. Taylor, lumber yard office	500

Mrs DeLorme's improvements to house  
Peralta Park Hotel

500  
85,000

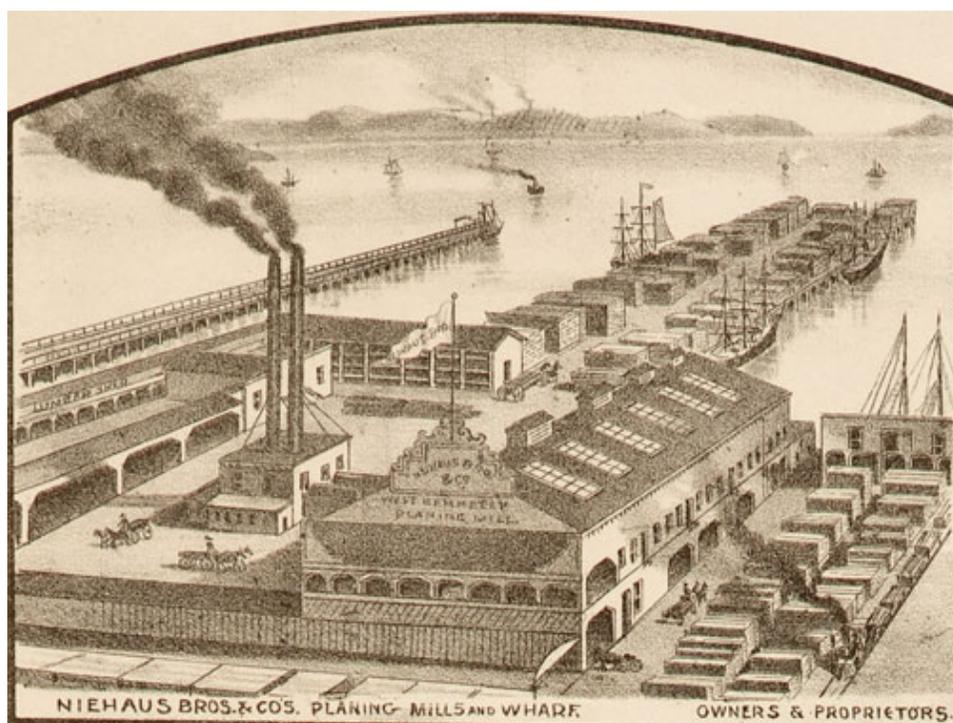


Figure 74. Niehaus Bros.' West Berkeley Planing Mill  
(Irwin & Johnson's *Birdseye View of Berkeley, California*, 1891)<sup>47</sup>

Despite their joint success, the Lord & Boynton partnership was short-lived. In 1890, the partners went their separate ways. That year, *Edwards Transcript of Records* published four projects carried out by Boynton without Lord.

Of the houses Lord & Boynton built together, only five, including the Payson House, are known to have survived. The other four are the Julius Alfred Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; the Harry S. Thompson House, 1491 Hopkins Street; and the James & Cecilia Luttrell House, 2328 Channing Way. No two of these surviving houses are alike.

### **Later owners of the Payson House**

#### **Kimball G. Easton & Katherine O. Easton**

In 1919, Etta Payson sold the house to Kimball Gushee Easton (1865–1925) and his wife, Katherine Olden Easton (1863–1940). The Eastons and their daughter, Esther Katherine, then a student at the University of California, were listed in the 1922 directory as residing at 1915 Berryman Street.

<sup>47</sup> Edwin S. Moore, publisher. Bancroft Library.  
<https://oac.cdlib.org/ark:/13030/tf9t1nc0rn/?brand=oac4>

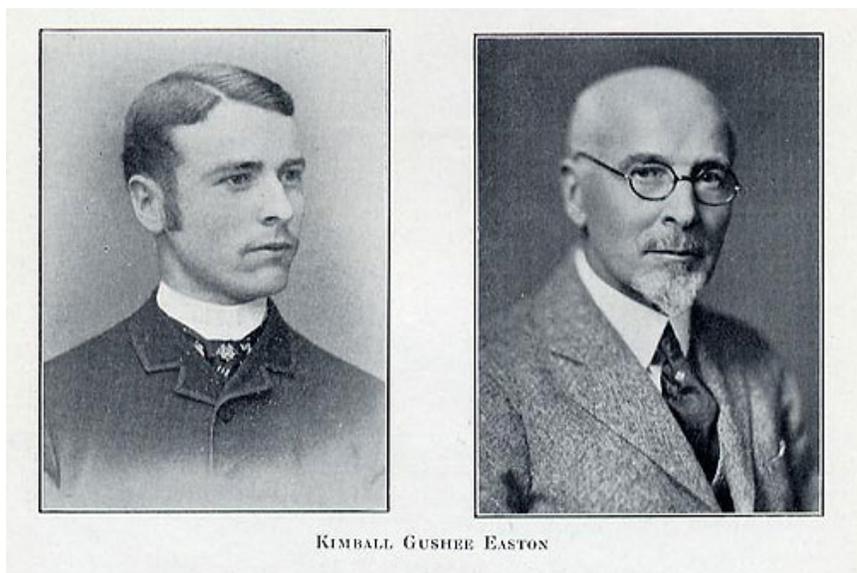


Figure 75. Kimball Gushee Easton as a student and in later life  
(*The Class of 1886 in 1926*)<sup>48</sup>

A biography of Kimball Easton appeared in the *California Historical Society Quarterly* shortly after his death.<sup>49</sup> The author was none other than Anson Stiles Blake, who wrote:

#### IN MEMORIAM

##### Kimball Gushee Easton

Kimball Gushee Easton, son of the reverend Giles A. Easton and Mary Gushee Easton, was born in San Francisco, September 25, 1865, and died suddenly in Berkeley, March 21, 1925. He spent his early boyhood in Benicia and attended the Episcopal School there. Later, when the family moved to Berkeley, he attended the Berkeley Gymnasium up to the time of entering the University of California. He earned the money to put himself through the University by working as a printer's devil and other odd jobs. While in the University he was active in journalism and was co-editor of the campus paper that developed into the "Blue and Gold." The first "Blue and Gold" to appear in book form was issued by his class and under his direction.

He graduated from the University in 1886. After graduation he went into the employ of The Oakland Paving Company, supervising as his first work the first pavement laid in Berkeley, on Dwight Way. A few years later, the late C. T. H. Palmer sought his assistance to rescue a paving company he had started in Los Angeles, and he removed there. After a few years he returned to Berkeley to live and formed a partnership with Arthur R. Wilson to carry on a general contracting business. When this partnership was dissolved he became associated with the firm of Bates, Borland and Ayer and continued with them until the time of his death.

He was married on October 4, 1892, to Katherine Olden who survives him. Three children were born of this union. Olden Alexander Easton who

<sup>48</sup> <http://freepages.rootsweb.com/~npmelton/genealogy/cal26inx.htm>

<sup>49</sup> <https://online.ucpress.edu/ch/article/4/2/214/30220>

died in infancy, Dorothea Alice Easton, now Mrs. Robert Harter, and Esther Katherine Easton.

Mr. Easton was an ardent lover of his native country and enjoyed the outdoor life it affords most thoroughly. He spent all of the time he could spare from his busy life in the cities, in the Sierra, where his little mountain ranch was the point of departure for many expeditions. He was also a student all his life and was well versed in the poetry of the English and French languages. He was one of the few in his generation who continued to read Latin and Greek literature for enjoyment only.

He was a member of the Society of California Pioneers and took a great interest in their affairs; and was, at the time of his death, one of their trustees.

ANSON S. BLAKE

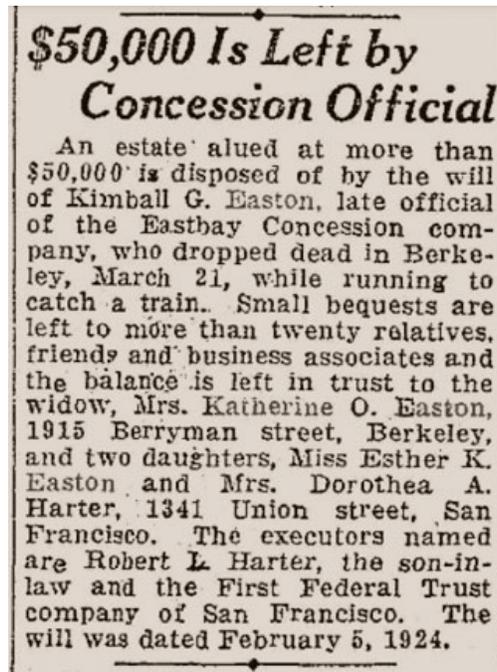


Figure 76. Oakland Tribune, 1 April 1925

Katherine Olden Easton was born in San Jose. In 1893, in San Francisco, she studied at the California School of Design, forerunner of the San Francisco Art Institute. In 1893, the school became affiliated with the University of California, was housed in the Mark Hopkins mansion atop Nob Hill, and became known as the Mark Hopkins Institute of Art.

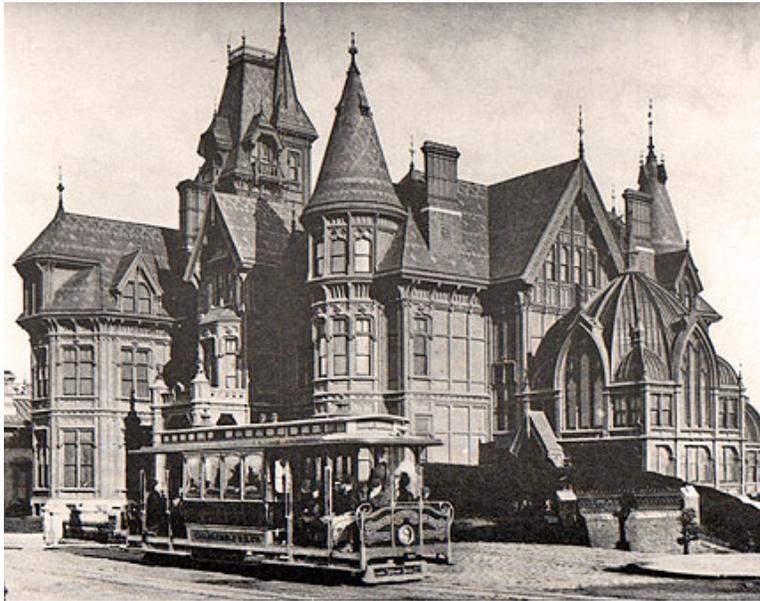


Figure 77. Mark Hopkins Institute of Art, San Francisco

Katherine Easton is listed in Edan Hughes's *Artists in California, 1786-1940* and in *Jacobsen's Biographical Index of American Artists* (2002). In 1909, she and co-author Sadie Bowman Metcalfe, also of Berkeley, copyrighted a modern drama in three acts titled *The Upheaval*. Her daughter, Esther Katherine Easton (1900–1980), was also an artist. As a student at the University of California, she was a member of the Delta Epsilon women's art honor society<sup>50</sup> Like her mother, Esther is listed in *Jacobsen's Biographical Index of American Artists*.

In 1928, Katherine and Esther were living with the married Payson daughter, Dorothea Harter, in a new house the Harters had built at 797 San Luis Road (future home of architect James W. Plachek). The 1930 U.S. Census taker found mother and daughter lodging on a farm in Groveland, outside Yosemite. Edan Hughes located Katherine in Carmel in 1933. That may be where she met Hattie G. Parlett, to whom she sold the Payson House about that time.



Figure 78. Esther K. Easton  
(1923 *Blue and Gold*)

### **Hattie G. Parlett & Adelene K. Lewison**

Hattie Goodrich Parlett (1871–1971) was born in Baltimore, Maryland. Her father, Benjamin Francis Parlett (1824–1884), established B.F. Parlett & Co., a

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<sup>50</sup> 1923 *Blue and Gold, a Record of the College Year 1921-1922*.

wholesale tobacco business, in 1843, later adding a tobacco manufacturing facility in Danville, Virginia.

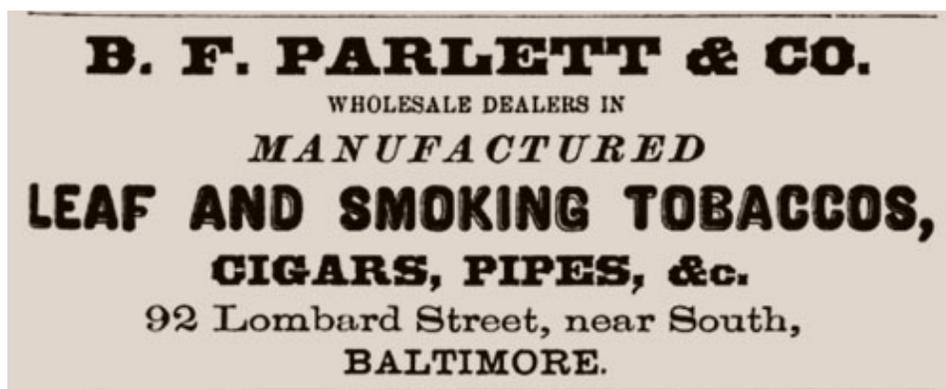


Figure 79. Ad in "The Monumental City, Its Past History and Present Resources," 1873

Shortly after the turn of the century, Hattie and her mother moved to Mount Vernon, New York, where they were enumerated in the 1905 New York State Census. Hattie bred English toy spaniels. The American Kennel Club's official stud book of 1908 listed three of her prize-winning dogs: Baltimore Belle, Baltimore Best Girl, and Rosemary Calvert.

Hattie's mother died in 1912, freeing the 41-year-old Hattie to start a new life. She moved to Hartford, Connecticut and met Adelene Kneeland Lewison (1870–1951), the woman who would become her life partner. The two traveled widely during the 1920s, and by 1930 had come to live in Carmel, where they were listed as residing on Dolores Street, between Second and Third avenues. In the 1930 U.S. Census, the occupation of both women was listed as Art Needlework.

In Carmel's small art community of the early 1930s, it was natural for Katherine Easton and Hattie Parlett to have known each other. This may explain how, by 1935, Hattie and Adelene were the occupants of the Payson House, where Adelene continued to produce art needlework.

In 1939, the two women began sharing their home with Hattie's widowed niece, Isabel Carter Todd (Smith) Knipp (1890–1968), who arrived by ship from New York. Isabel probably lived on the second-floor, which at the time was still part of the main residence. In 1942, after Hattie sold the house to Harry and Ruth Miller and moved to Hayward, Isabel was still registered to vote at 1915 Berryman Street but soon found other accommodations in Berkeley.

### **Harry V. & Ruth E. Miller**

The Miller family and its descendants have owned the Payson House and lived in it for 78 years, beginning circa 1941–42.

Harry Vincent Miller (1891–1961) was born in Albany, New York, to a working-class family. His father was a house carpenter, and all the Miller children went to work after completing eight years of elementary school. One of Harry's elder sisters, Henrietta, worked as a clerk in a printing office, and an older brother apprenticed with a printer before becoming a house painter. Harry also went into the printing trade; at the age of 18, he was enumerated in the 1910 U.S. Census as a stereotyper, an occupation he practiced his entire working life.

During World War I, Harry served two years in the U.S. Marine Corps, exiting the service in October 1919 with excellent character. He moved to Colorado, where he married Ruth C. Earnest (1899–1986) in June 1922.

Ruth was born on a farm in Clifton, South Dakota. A year or so after her birth, the family moved to Lane County, Oregon. Ruth's father died in 1911, her mother remarried the same year and died in 1913, when Ruth was 13. Ruth was sent to live with her father's married sister, growing up on a farm in Martin, Kansas.

Harry and Ruth Miller married in Pueblo, Colorado. In 1930, they were living in Denver with their two young daughters, Betty Ruth, 7, and Helen Marie, 4. Harry was employed by the *Rocky Mountain News*. By 1940, they had relocated to Englewood, Colorado, where Harry earned \$1,800 a year from his stereotyping job at a local newspaper. The Millers' youngest child, Edward Earnest Miller, was then five years old. Harry's sister, Henrietta, was living with the family and working as a binder in a printing establishment. The family moved to the Bay Area in 1941.

In 1942, Harry Miller's World War II draft registration card documented him as living at 1915 Berryman Street and working for the *Oakland Post-Inquirer*. His obituary in the *Oakland Tribune*, however, stated that he had been a *Tribune* employee from 1941 until his retirement in 1958.

The Millers moved into their Berkeley house just as the United States entered World War II. During the war years, many houses in Berkeley were being converted into apartments in order to help house the influx of war-industry workers. That was when Harry Miller converted the house to two apartments, although the building permits leave a gap in the chronology.

Harry Miller died on 6 April 1961. The *Oakland Tribune* published his obituary the following day.

#### **Death Takes H. V. Miller at Age 69**

BERKELEY, April 7—Harry V. Miller, longtime Berkeley resident active in veterans' organizations, died yesterday in a Livermore hospital. Mr. Miller, 69, was a retired stereotyper and was an employee of The Tribune from 1941 to 1958. A World War I veteran, he was a member of the Veterans of Foreign Wars, Post 703, Berkeley; Disabled American Veterans, Chapter 7, Oakland; and American Legion Post 240, El Cerrito. He also was a member of St. Mary Magdalen Church, the Holy Name Society and the International Stereotypers and Electrotypers Union, Local 29, San Francisco. He lived for many years at 1915 Berryman St. and was a native of Albany, N.Y. Mr. Miller is survived by his widow, Ruth; daughters Mrs. Betty Ruth Geritz of Berkeley and Mrs. Helen Marie Petrash of San Lorenzo; a son, Edward E. Miller, Berkeley; sister, Henrietta Miller and brother, Frank, both of Albany, N.Y.; and 10 grandchildren. The Rosary will be recited at 8 p.m. today at the Berkeley Hills Chapel, Shattuck Ave. and Cedar St. A Requiem Mass will be said at 9:30 a.m. tomorrow at St. Mary Magdalen Church. Interment will be in St. Joseph's Cemetery, San Pablo.

On 25 October 1961, Ruth Miller deeded the property at 1915 Berryman Street to her three children, Betty Ruth Geritz (1923–2011), Helen Marie Petrash (1925–201?), and Edward Earnest Miller (1934–). Ruth died in 1986. The next principal

residents in the house were Helen Petrash and her husband John (1922–2016), an expert archer and scuba diver.

Helen Petrash died a few years before her husband. Their daughter, Paula, moved in to look after her father. In the photo below, they are shown at home a year before John's death.<sup>51</sup>



*Figure 80. Paula Petrash & her father (center) at home, 2015  
(courtesy of Joe Timmons, Aqua Tutus Club)*

Until earlier this year, the property was jointly owned by no less than ten different trusts representing members of the extended Miller family. The heirs finally sold the family's historic home this year, to a couple from Sunnyvale whose business model entails buying old houses, razing them, and constructing multiple units on the parcels. They have done so recently at 2212 Tenth Street.

### **Chronology of the Payson House ownership**

1889–1919	William H. & Esther L. Payson
1919–c. 1935	Kimball G. & Katherine O. Easton
c. 1935– c. 1942	Hattie G. Parlett
c. 1942–2020	Harry V. & Ruth E. Miller and descendants
2020–	Alon & Ravit Danino

<sup>51</sup> "In Memoriam, John Petrash." Aqua Tutus, 25 October 2016.  
<https://aquatutus.org/in-memoriam-john-petrash/>

16. Context



Figure 81. The neighborhood in 1950 (Sanborn map)



Figure 82. 1913 Berryman Street, 1971 (Donogh files, BAHA archives)

Between 1929 and 1950, there were few changes in the neighborhood. The most noticeable addition consisted of two new townhouses on the western half of the original Payson parcel, which had been subdivided prior to 1929. Each containing a pair of semi-detached units, these townhouses, 1911 and 1913 Berryman Street, were constructed in 1937 by the well-known architect Paul Hammarberg (1911–2009), who was also the owner.

The next change was more significant. In 1960, Grace Pinkerton, whose father had built the family's Colonial Revival house at 1931 Berryman Street in 1903, moved to Marin County and sold the parcel as an "excellent location for multiple units. Zoned R-3 for 8–9 units." That is exactly what was built there next.

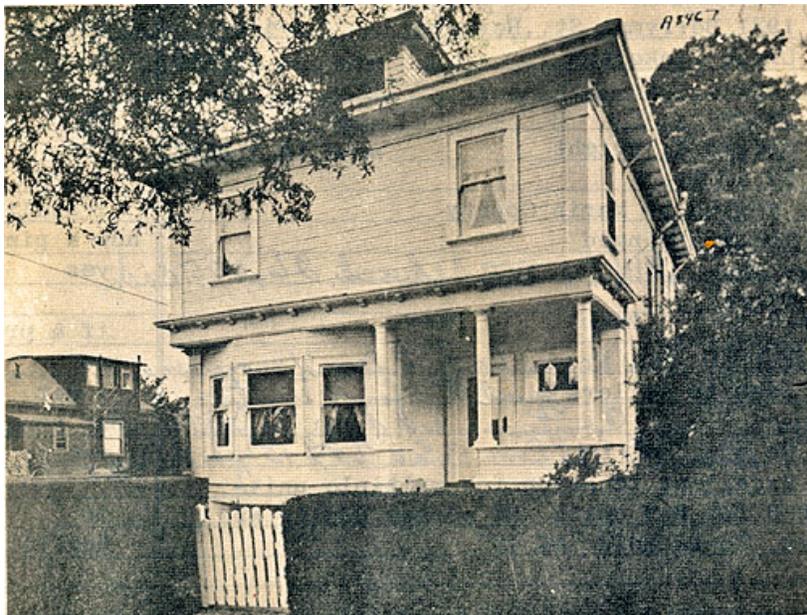


Figure 83. Pinkerton house, 1931 Berryman Street, in 1960 (Donogh files, BAHA archives)



Figure 84. Apartments, 1931 Berryman Street (Google Street View)

No photograph has been found of the historic Frederick & Susan Berryman house (1888), which stood on the southwest corner of Berryman Street and Bonita Avenue. Susan Berryman died in 1935 at the age of 84. In 1966, the Berryman house was occupied by Clark Armstrong, an insurance executive. This house was torn down, along with two others—1906 Berryman (built in 1926) and 1908 Berryman (also owned by the Berryman family)—and replaced circa 1972 with a 24-unit apartment building that has aged badly and is a blight on the streetscape.



*Figure 85. 1906 Berryman Street (Donogh files, BAHA archives)*



*Figure 86. Raj Properties apartments, 1910 Berryman Street*

With the exception of the two large apartment buildings on the northeast and southwest corners of the Berryman-Bonita intersection, the neighborhood retains much of its historic character. One- and two-story residences in various

architectural styles, an abundance of trees, and the proximity of Codornices Creek give the area a decided bucolic air.



*Figure 87. 1200 block of Bonita Avenue, looking north (Google Street View)*



*Figure 88. 1200 block of Bonita Avenue, west side*



*Figure 89. 1300 block of Bonita Avenue, west side (Google Street View)*



*Figure 90. 1300 block of Bonita Avenue, east side (Google Street View)*



*Figure 91. Berryman Street east of Bonita Avenue (Google Street View)*



*Figure 92. The neighborhood today (Apple Map)*

## 17. Significance

**Consistent with Section 3.24.110A.1.b.**, the William H. & Esther L Payson House possesses architectural merit. It was built in 1889 by the important construction firm of Lord & Boynton and is one of only five surviving buildings constructed by that firm. The Payson House's appearance is unique in the firm's surviving body of work; it is the only single-story, unadorned, hip-roofed building, reflecting the Unitarian spirit of its first owners.

**Consistent with Section 3.24.110A.1.c.**, the Payson House is worth preserving for the exceptional values it adds to the neighborhood fabric. It was one of the first houses built north of Berryman Street—an area that wasn't even mapped by the Sanborn Map Company before 1911—and the first house on Block 16 of the Berkeley Villa Association tract, which had been subdivided in 1875.

The Payson House is the oldest surviving building north of Rose Street and south of Hopkins Street between Shattuck and San Pablo avenues. The only houses north of Hopkins Street that are the same age are three Peralta Park houses built by Lord & Boynton in the same year.

In addition, the Payson House is now the only original structure still standing at the intersection of Berryman Street and Bonita Avenue. The other three

corners are occupied by apartment buildings dating from the 1920s, 1960s, and 1970s, respectively.

**Consistent with Section 3.24.110A.4.**, the Payson House has historic value. Its builders were the Berkeley pioneers Carlos Reuben Lord (1831–1914) and Ira Alton Boynton (1844–1921), who arrived in Berkeley in 1877 and made their respective names in the civic life of the town as elected officials, leaders of fraternal organizations, and bank founders.

In a little over a year, Lord & Boynton constructed many major buildings in Berkeley, including Maurice B. Curtis’s fabled Peralta Park Hotel, Curtis’s own home, and the Niehaus Brothers’ West Berkeley Planing Mill, to name a few.

The house was built for William Hawes Payson (1855–1914), a lawyer who co-founded the First Unitarian Church of Berkeley in 1891. Payson continued to be one of the foremost American Unitarian leaders for the rest of his life, serving as president of the church and its various offshoots multiple times. He was also a well-known political reformer, fighting for fair voter representation and active in the anti-graft movement that brought down corrupt San Francisco Mayor Eugene Schmitz and political boss Abe Ruef after the 1906 Earthquake and Fire.

The Payson House retains integrity of location, setting, feeling, and association. Despite some exterior alterations carried out in 1925 and the mid-1940s, anyone who knew the house in its early days would recognize it today.

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

**18. Is the property endangered?** Yes, a demolition permit has been applied for.

**19. Reference Sources:**

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA, Berkeley Historical Society, Ancestry.com.

Block files. BAHA.

Tract maps & Sanborn Fire Insurance Maps. BAHA.

Assessor’s maps. Alameda County Assessor’s Office.

U.S. Census and California Voter Registration records. Ancestry.com.

Ormsby Donogh files. BAHA.

Nelson, Marie. *Surveys for Local Governments—A Context for Best Practices*. California Office of Historic Preservation, 2005. [http://ohp.parks.ca.gov/pages/1054/files/Survey\\_Savvy\\_CCAPA.pps](http://ohp.parks.ca.gov/pages/1054/files/Survey_Savvy_CCAPA.pps)

**20. Recorder:**

Daniella Thompson  
2663 Le Conte Avenue  
Berkeley, CA 94709

**Applicant:**

Deborah Kropp  
1231 Bonita Avenue  
Berkeley, CA 94709

**Date:** June 2020

Law Office of Rachel Mansfield-Howlett  
510 Spencer Ave.  
Santa Rosa, CA 95404  
Rhowlettlaw@gmail.com  
707-291-6585

To: Mayor Arreguín and City Council Members  
council@cityofberkeley.info  
City Clerk  
clerk@cityofberkeley.info  
Planning Dept.  
planning@cityofberkeley.info

October 8, 2020

*Via email*

Re: Appeal of Landmark Preservation Commission's decision to deny the application for Landmark or Structure of Merit Designation, William H. & Esther L. Payson House

Dear Mayor Arreguín and Council Members:

I'm writing on behalf of Concerned Berkeley Residents, an unincorporated public benefit group, to appeal the decision of the Landmark Preservation Commission (LPC) which denied the application to designate the William H. & Esther L. Payson House as either a City of Berkeley Landmark or a Structure of Merit. As provided by Chapter 3.24.300.A, the city requires at least 50 signatures from Berkeley residents on the appeal letter. This appeal is supported by 70 residents of the city who are aggrieved or affected by the determination of the LPC. Group member and Landmark applicant Deborah Kropp will be in contact with you to arrange payment for the appeal. (travelbydeborah@earthlink.net, (510) 524-7572; attached, exhibit 1, signatures.) The petition supports:

- The appeal of the LPC's Decision;
- Imposition of a reasonable penalty for the project applicant's illegal removal of five protected Coast Live Oak trees from the property, such that it will stand as a deterrent for further illegal acts by developers and disallow the applicant to benefit from his illegal acts, and;
- Affirmation of the numerous benefits of retaining the historic house, which provide potential for establishing a larger number of low-income housing units than the single low-income unit proposed by the applicant.

The historic significance of the 1889 house is well documented by the recorder and historic expert Daniella Thompson in the detailed application submitted to the LPC in June of 2020. Ms. Thompson is a past president of the Berkeley Architectural Heritage Association (BAHA), current longtime editor of the BAHA website, author of hundreds of articles on Berkeley's architectural history, as well as the author of numerous successful landmark applications. She submitted a follow-up letter in July 2020, which provided substantial evidence to refute staff's reasons for denying the application, and explained how the LPC misapplied the criteria for designation. Ms. Thompson summarized her findings as follows: "The William H. & Esther L. Payson House is eminently worthy of preservation. It could be restored and repurposed for greater density without demolition or loss of historic character." The Payson House retains integrity of location, setting, feeling, and association; it has architectural merit as well as meeting the criteria for historic value.

The project applicant proposes to demolish the Payson House and construct a 10-unit residential project. The LPC's denial paves the way for demolition of this important historic structure without first conducting environmental review.

The LPC's findings state that the action is exempt from CEQA, which, if applied, could allow the project applicant to avoid review of the project's environmental impacts altogether. Any proposed exemption from CEQA would be subject to the historic resource exception, which generally requires projects that include historic resources to undergo full environmental review prior to considering their demolition. (CEQA Guidelines sections 15300.2 (a) location within a sensitive resource; (b) cumulative impacts of successive projects of the same type in the same place are significant over time, precludes adoption of exemption.) Berkeley Residents urge the Council to overturn the LPC's findings and require environmental review be conducted prior to any further consideration of the historic structure's demolition. Environmental study should include the review of a reasonable range of alternatives to the demolition that will retain the structure for adaptive reuse, consistent with Berkeley's stated goals of retaining historic structures, and which could result in the implementation of an even greater number of affordable housing units than proposed by the applicant.

In applying the criteria under section "3.24.110 Landmarks, historic districts and structures of merit, Designation, Criteria for Consideration, A. 1. Architectural merit: a. Property that is the first, last, only or most significant architectural property of its type in the region", staff erred in several ways, including the assertion that the conversion of the house from a single-family home to a multiple family dwelling negatively impacted its historic nature. Historian Daniella Thompson explained why staff's assertion was incorrect: "Like many other Berkeley houses, the Payson House

was converted to three apartments by the Miller family to meet housing shortages during World War II, but descendants of the same family later reunified the main floor into a single dwelling and lived there until recently.” (Thompson letter, pg. 1.)

Staff erred in asserting there were other representative residences of the period in the area. Ms. Thompson showed that all of the structures cited by staff were designed in architectural styles quite different from the Payson House, and not one of them resembles the original appearance of the Payson House. (Thompson letter, pg. 2.) The Payson House is the oldest structure standing between Shattuck and San Pablo avenues north of Rose Street and south of Hopkins Street.

Staff erred in claiming that the Payson House did not have a distinctive style. Ms. Thompson stated that just because the house can’t be compared to the more commonly seen styles of Victorian domestic architecture, doesn’t make the Payson House less Victorian or a poor architectural example, on the contrary, it makes it all the rarer and worthier of preservation. (Thompson letter, pg. 2.)

Staff also erred in asserting that no architect or builder of merit is associated with the Payson House, but Ms. Thompson confirmed that Lord & Boynton were considered master builders; they constructed the Peralta Park Hotel; the Lueders House, 1330 Albina Avenue; the Anita Fallon House, 1307 Acton Street; and the recently designated Luttrell House, at 2328 Channing Way. “The Payson House is unique in design and appearance within Lord & Boynton’s known surviving body of work, which comprises a total of five houses.” (Thompson letter, pg. 3.) Ms. Thompson appeared at the August 6, 2020 LPC hearing and testified that “[i]n addition to being master builders, Lord & Boynton played significant roles in the civic and political life of Berkeley, which is why they are also cited as contributing to the historic significance of the Payson House.”

Ms. Thompson found that the information prepared by Mark Hulbert for the historic evaluation was inaccurate and incomplete and should not have been relied upon by the LPC to discount the historic value of the Payson House. The information submitted by Mr. Hulbert with the project application packet, recorded the builder as “unknown” — Mr. Hulbert was not even aware of Lord & Boynton’s reputation when he opined about the lack of historic merit of the Payson House.

Staff applied a criterion that does not exist within the Berkeley LPO, namely that the property’s owner’s occupation must have been tied to the residence. As noted by Ms. Thompson: “[h]ere in Berkeley, many houses have been designated for historic significance without their owners’ careers being tied specifically to their residence. For example, Captain John Slater gained his fame while commanding sailing ships, and Charles Spear was City Clerk, County Recorder, and President of

the State Board of Harbor Commissioners. In both cases, as in many others, the LPC accepted their public prominence as contributing to the historic significance of their houses." Ms. Thompson urged the LPC to apply the same standard to the William Payson and his home. The Council must not allow this mistaken criterion to be used to discount the local significance of structures with historic merit.

Regarding the criterion that requires architectural examples worth preserving for the exceptional values they add as part of the neighborhood fabric, staff claimed that "the subject building has no preservation-worthy characteristics or values relative to its neighborhood, where there exist other contemporaneous period houses and which, in addition to retaining single-family use as well as having direct street, are far more characteristic of their period." Ms. Thompson responded that this assertion is incorrect, "the Payson House is considerably older than all the other houses in the neighborhood. It was continuously inhabited by the Miller-Petrash family from the early 1940s until very recently, and is clearly recognizable as a specimen of its period. Indeed, the house has been generally referred to by local residents as "the old farm house." (Thompson letter, pg. 3.)

As to the requirement for importance as to "cultural value: structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City," staff claims that property has no direct association to cultural developments important to the city. Mr. Hulbert stated that "[b]ased on numerous news accounts, its original owners, the Paysons, were closely associated with the Universalist church, yet which focused interest and association do not convey to their former home." Ms. Thompson stated that, to the contrary, Payson was an "important co-founder and leader of the First Unitarian Church of Berkeley while he lived at 1915 Berryman Street. Payson co-founded the church in 1891, two years after the house was built, and continued in a leadership role on the West Coast until his death in 1914. His civic and political activities also took place while he was living in this house." The Unitarian and Universalist churches did not merge until 1961. Staff's statement about Payson's relationship to the Unitarian and Universalist Churches is inaccurate, Payson was never associated with the Universalist Church but was prominent in co-founding the First Unitarian Church of Berkeley.

William Payson was also valued as a political reformer, who fought for fair voter representation and was active in the anti-graft movement that led to the prosecution of the corrupt San Francisco Mayor Eugene Schmitz and powerful political boss Abe Ruef. The house should also be recognized as related to a noteworthy woman artist, Charlotte Elizabeth Bodwell Morgan (1867–1947) who was part of the Carmel and Berkeley Art Colonies and an early resident in the house. She

received a master's degree from the University of California, Berkeley in 1928 and exhibited her paintings throughout California.

In response to staff's assertion that historic references of the Payson House have been lost, Ms. Thompson stated that this was an absurd conclusion given Mr. Hulbert's ignorance and disregard for the prominence of Lord & Boynton and their work, and Payson's clear connection to the founding of the First Unitarian Church of Berkeley. "Until very recently, the Payson House was the longtime residence of the Miller-Petrash family. It was in livable condition at the time of its sale on 18 March 2020. Furthermore, it is eminently restorable and adaptable. The Berryman Street façade could easily be returned to its original appearance by reopening the front porch. There are no other houses of this type in the neighborhood, therefore better examples can't be cited. There are also no other houses as old as the Payson house in the entire area." (Thompson letter, pg. 5.) Thompson attested that staff's analysis ignored two important criteria for Structure of Merit designation: the age of the structure and its historic significance.

Berkeley Residents also reject staff's assertion that the LPC does not need to find a resource significant if there are other historic resources in the area. The suggestion that not all historic resources need to be recognized merely by virtue of the occurrence of other historic resources, is nonsensical.

The article recently published by the Berkeley Daily Planet by Becky O'Malley summarizes the importance of establishing local significance for historic resources in Berkeley, not just landmark monuments:

*In most towns ordinances like the one which governs Berkeley's LPC are called historic preservation ordinances—perhaps we should change the name of ours. It's now considered important by egalitarian people to preserve places and buildings where ordinary people lived and worked, not just grandiose "landmark" monuments to lifestyles of the rich and famous. Architectural historians call this vernacular architecture, and in most countries thoughtful citizens now take pains to preserve it in situ.*

*History used to be all about famous men, but now it's also about regular women and men and how they lived their ordinary lives. If you read up on Berkeley history, you'll discover that this city and its physical and cultural fabric were woven of lots of kinds of lives: the Ohlone whose shell mound is located near what's now the Fourth Street mini-mall, the Irish workman buried in a collapse while Old City Hall was being built, the Japanese-American family who ran a laundry in an inconspicuous building on Shattuck, and sincere high-minded Unitarian intellectuals like the Paysons who built Berkeley's brown shingle houses like this one with respect for nature and fought for social justice. We need to remember all of them.*

## **Illegal Removal of Five Protected Coast Live Oak Trees**

As the Council is aware, area residents recently circulated a petition signed by 126 people objecting to the project applicant's precipitous illegal removal of five protected Coast Live Oaks from the subject site without a permit and in gross violation of the city's requirements for the retention of protected oaks. Residents also submitted a PowerPoint presentation that documented the illegal removal of these protected trees from the property. The petition states:

As longtime residents of Berkeley, we are shocked by the calculated, illegal, and irrevocable actions of the new owner of 1915 Berryman Street, who, within two weeks after taking ownership of the property in March 2020, promptly cut down five mature *Quercus agrifolia* (Coast Live Oak) trees in direct violation of City Ordinance No 6462-N.S. It is clear that the removal of these protected trees makes possible the scope of the proposed development subsequently put forward by the owner and substantially increases the financial return on his investment.

In light of this, we are asking each of you to review the case and exercise the City's prerogative to assess fines and punishment in keeping with the flagrant violation of, and blatant disregard for, Berkeley's laws and municipal codes. We ask that the owner / developer be required to replant and maintain five mature Coast Live Oaks on the property, in the same locations from where they were felled (and perhaps multiple oaks in each location, as they will be smaller and have a lower survival rate), and that any building on the property accommodate the full growth of those trees.

We implore each of you, in your respective positions, to send a strong, clear message to current and future developers that the illegal removal of protected Coast Live Oaks will be taken extremely seriously; and that the penalty for such an infraction cannot simply be the cost — and a minor one at that — of doing business in our City. The penalties both by a direct fine and by imposing limitations on project approval in the tree removal areas should be in line with the brazenness and severity of the action. The new owner should not be allowed to reap a huge financial gain by being permitted to construct a building in the locations where the protected Coast Live Oak trees were illegally removed.

The city's ordinance maintains a moratorium on the removal of any single-stem Coast Live Oak tree with aggregate circumference of 18" or more, and multi-stemmed Coast Live Oak tree with aggregate circumference of 26" or more. All five trees meet the criteria to be valued as protected trees as documented in the Boundary and Topographic Survey by Moran Engineering, Inc. on June 22, 2017. In light of this

egregious disregard for the law and the environment, Concerned Berkeley Residents now further request the Council remove consideration of the adoption of an exemption from CEQA for this project. An EIR should be prepared which considers alternatives to the project, requires replacement plantings of Coast Live Oaks, and reviews alternatives to the project that avoid construction on the locations of removed protected oak trees.

**Affordable Housing**

The project applicant has only proposed one unit to be developed as affordable housing. Alternatives to the project should be considered that analyze the site for adaptive reuse to provide greater than the single affordable unit proposed by the project applicant and mandate the continued application of the City's rent control provisions. Historically, there were three units under rent control, and we recommend that the city reestablish rent control provisions for three units. More units could also be added by lifting the existing house a few feet and creating another floor of housing in the basement space.

For the foregoing reasons, we urge the Council to reject the LPC's denial and require the Payson House to be treated as a significant historic resource for the purposes of CEQA.

Sincerely,



Rachel Mansfield-Howlett

Attorney for Appellants, Concerned Berkeley Residents

Enclosure: Exhibit 1, Signature Pages

**Exhibit 1**

Signature pages for letter from Rachel Mansfield-Howlett to  
Berkeley City Council  
City Clerk  
2180 Milvia St., 1st Floor, Berkeley, CA 94704

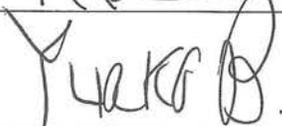
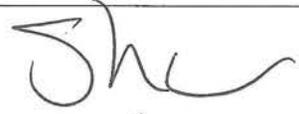
**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
1.	Deborah Kropp	1231 Bonita Ave Berkeley, 94709	Deborah Kropp
2.	Alan Kropp	1231 Bonita Ave Berkeley, 94709	Alan Kropp
3.	TIM LENZ	1275 BONITA AVE #302 BERKELEY, CA 94709	Tim Lenz
4.	Perian Feherty	1230 Bonita Ave.	Perian Feherty
5.	Ashley Shepard	1235 Bonita Ave	Ashley Shepard
6.	Jally Sawko	1203 Bonita Ave Berkeley CA 94709	Jally D Sawko
7.	ETmer Sawko	1203 Bonita Ave Berkeley CA 94709	ETmer Sawko
8.	Jane Morrison	1241 Martin Luther Berkeley CA 94709	Jane Morrison
9.	Lawrence Wight	1332 Rose St Berkeley CA 94702	LWight
10.	Mary Ann Wight	1332 Rose St Berkeley, CA 94702	Mary Ann Wight

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City Clerk  
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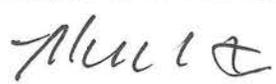
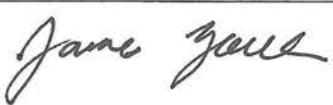
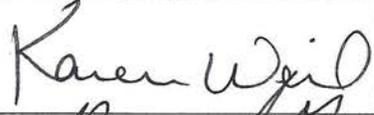
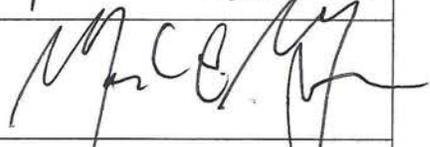
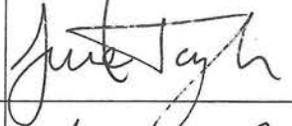
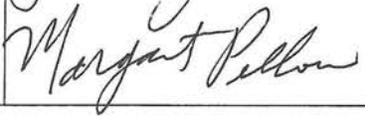
**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
11.	DANIELLA THOMPSON	2663 LE CONTE AVE BERKELEY, CA 94709	
12.	JM SHARP	2517 REGENT BERKELEY CA 94704	
13.	Harald Leventhal	1929 Yolo Ave Berkeley 94707	
14.	Renee Leventhal	1929 Yolo Ave Berkeley 94707	
15.	MONSEN MAHBUBAN	1221 BONITA AVE	
16.	YURIKO BRIMM	1221 BONITA AVE	
17.	Ali Zareh	1227 BONITA AVE	
18.	SHARIPAH ZAREH	1227 BONITA AVE	
19.	Isaak Zewoldi	1915 Yolo Ave.	
20.	Tsighereda Kiflemairem	1915 Yolo Ave.	

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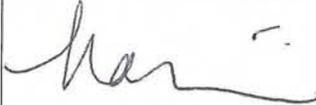
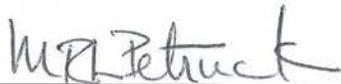
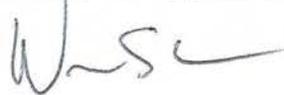
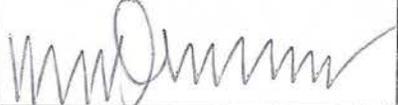
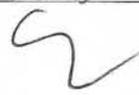
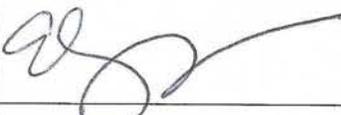
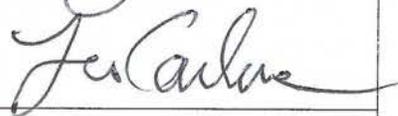
**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
21.	Kathleen Guston	2015 Yolo Avenue Berkeley 94707	
22.	LARRY GUSTON	" "	
23.	James Zoulas	1933 Yolo Ave. Berkeley CA 94707	
24.	Tom G. Hall	1210 Milvia St	
25.	Rachel Callaghan	1236 Milvia St	
26.	MARTIN REICH	1236 MILVIA ST	
27.	Karen Weil	1209 Bonita	
28.	Mark Morris	1209 Bonita	
29.	Jerome Taylor	1235 Bonita	
30.	Margaret P. How	1235 Bonita	

**Exhibit 1**

Signature pages for letter from Rachel Mansfield-Howlett to  
Berkeley City Council  
City Clerk  
2180 Milvia St., 1st Floor, Berkeley, CA 94704

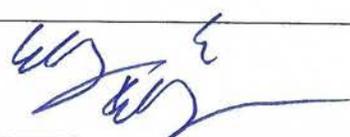
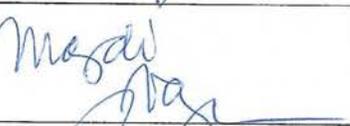
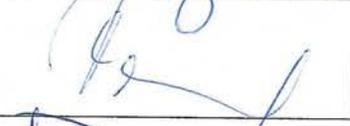
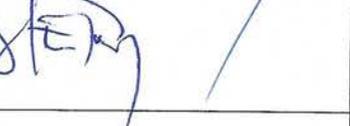
**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
31.	Leo Siecienski	1305 Bonita Ave	
32.	Nanay McGinnis	1305 Bonita Ave	
33.	MIRIAM PETRUCK	1275 MLK JR. WAY	
34.	Ataya Cesspooch	1277 MLK Jr. Way	
35.	Will Shields	1900 Berryman St	
36.	Heather Nicholls	1405 BERRYMAN ST.	
37.	Connor Moore	1271 MLK Jr Way	
38.	Elizabeth Niijima	1273 MLK Jr Way	
39.	Teo Carlone	1321 Bonita Ave	

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**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
40.	Elizabeth Rosenberg	1913 B Berryman St Berkeley, CA 94709	
41.	CLM DONALD	1905 BERRYMAN BERKELEY 94709	
42.	Elen Warreb	1909 Berryman 94709	
43.	Charles Hamer	1909 Berryman St 94709	
44.	Pearl Pan	1304 Milvia St Berkeley 94709	
45.	Alis Vanya ALDIS VANYA	1911B Berryman Berkeley CA 94709	
46.	Magdalena Vanya	1911b Berryman Berkeley CA 94709	
47.	Magdalena, VANYOVA	1911 B BERRYMAN BERKELEY CA 94709	
48.	David Tay	" "	

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**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
49.	John Wadman	1216 Bonita Ave Berkeley CA 94709	John Wadman
50.	Helen Wadman	1216 Bonita Ave Berkeley CA 94709	Helen Wadman
51.	Sara Sawko	1203 Bonita Ave Berkeley, CA 94709	Sara Sawko
52.	Kathy McDonald	1940 Yolo Ave Berkeley CA 94707	K McDonald
53.	Joe McDonald	1940 Yolo Ave Berkeley 94707	Joe McDonald
54.	Martann Wolfe	Berkeley, 94707 1934 Yolo Ave	Martann Wolfe
55.	Francine Masciello	1934 Yolo Ave B. 94707	Francine Masciello
56.	Scott Sawko	Berkeley 94709 1203 Bonita Ave	Scott Sawko

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City Clerk  
2180 Milvia St., 1st Floor, Berkeley, CA 94704

**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

	Name	Berkeley Address	Signature
57.	HELEN G. TOY	1771 BEVERLY PL BERKELEY 94707	Helen G. Toy
58.	SONDRA JENSEN	1161 COLUSA BERKELEY 94707	Sondra Jensen
59.	PAUL CLINTON	1161 COLUSA AV BERKELEY CA 94707	Paul Clinton
60.	MARGO ANN NASON	1722 Beverly Place	Margo Ann Nason
61.	Constance Rivemede	1916 Yolo Ave	Constance Rivemede
62.	Jennifer Osborne	1236 Bonita Ave	Jennifer Osborne
63.	Dina Roumioutseva	1330 Milvia St	Dina Roumioutseva
64.	LILLIAN HOWAN	1935 Yolo Ave	Lillian Howan

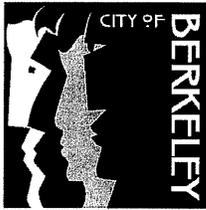
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**Appeal of LPC Landmark or Structure of Merit Designation Denial  
for 1915 Berryman Street**

Name	Berkeley Address	Signature
65. Lisa Bruce	3027 claremont Ave	Lisa Bruce
66. Leo mc Cord	69 Domingo av.	Leo Cord
67. Anthony Bruce	6 ENCINA PLACE	Anthony Bruce
68. S.E. Brockmann	2711 Buena Vista way	S E Brockmann





City Clerk Department

October 27, 2020

Deborah Kropp  
1231 Bonita Avenue  
Berkeley, CA 94709

RE: 1915 Berryman Street (The Payson House) – Appeal LPC Decision Landmark Application #LMSAP2020-0003

Dear Appellant:

This will acknowledge receipt of your appeal of the Landmarks Preservation Commission decision of August 6, 2020, denying the following permit:

- City Landmark or Structure of Merit designation status, pursuant to Berkeley Municipal Code Section 3.24.110.A-B

Your appeal has been referred to the Planning Department.

The Planning Department will transmit to Council a statement setting forth the reasons for the Landmarks Preservation Commission decision. This report, as well as a copy of the appeal, will appear on the City Council special meeting agenda of **Thursday, January 21, 2021.**

**This meeting of the Council will commence at 6:00 p.m. and will be held in the School District Board Room located at 1231 Addison Street. However, depending on future conditions, this meeting may be held exclusively through videoconference and teleconference to ensure the health and safety of the public.**

Pursuant to the City Council Rules of Procedure, this appeal will appear on the City Council's agenda as a public hearing. Time shall be provided for five-minute presentations each by the appellant and applicant. Where the appellant is not the applicant, the appellants collectively shall have five minutes to comment and the applicant shall have five minutes to comment. Where the appellant is the applicant, the applicant/appellant shall have five minutes to comment and the persons supporting the action of the board or commission on appeal shall have five minutes to comment.

After the conclusion of the five-minute comment periods, members of the public may comment on the appeal pursuant to the Rules of Procedure in effect for the Council meeting.

The Council will then deliberate and determine to do one of three things: 1) continue the public hearing; 2) based on the record of the Council's consideration and hearing,

RE: 1915 Berryman Street (The Payson House) – Appeal LPC Decision Landmark Application #LMSAP2020-0003  
Page 2

reverse or affirm, wholly or partly, or modify any decision, determination, condition or requirement of the Board's original action; or 3) remand the matter to the Commission to reconsider the application, or any revisions thereto submitted after the Commission's action.

Communications received by 5:00 p.m. Tuesday, January 12, 2021 will be included in the agenda packet. Communications received after that date, up to 12:00 p.m. on Wednesday, January 20, 2021 will be distributed to Council in a supplemental packet the day prior to the meeting. If the communication includes maps or photos or any other material not reproducible on a copy machine, fifteen copies should be provided to the City Clerk. Communications should be submitted directly to the City Clerk to ensure receipt by all Councilmembers.

Please note that Berkeley's Lobbyist Registration Act (Berkeley Municipal Code Chapter 2.09) is effective beginning on January 1, 2020. Information and resources regarding the Lobbyist Registration Act are available from the City's website at:  
[https://www.cityofberkeley.info/Clerk/Home/Lobbyist\\_Registration\\_Act.aspx](https://www.cityofberkeley.info/Clerk/Home/Lobbyist_Registration_Act.aspx)

If you have any additional questions regarding this matter, please do not hesitate to contact me at (510) 981-6908.

A copy of the staff report and a City Council agenda will be available in this office after 4:00 p.m. on Thursday, January 14, 2021 or can be viewed on our website at: [www.CityofBerkeley.info/CityCouncil](http://www.CityofBerkeley.info/CityCouncil).

Sincerely,



Mark Numainville  
City Clerk

cc: Jordan Klein, Interim Director of Planning  
Steven Buckley, Land Use Planning Manager  
Fatema Crane, Staff Planner  
Farimah Brown, City Attorney  
Daniella Thompson (Application Author)  
Alon and Ravit Danino (Property Owners)  
Rachel Mansfield-Howlett (Attorney for Appellant)

**NOTICE CONCERNING YOUR LEGAL RIGHTS:** If you object to a decision by the City Council to approve or deny an appeal, the following requirements and restrictions apply: 1. If you challenge this decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Landmarks Preservation Commission at, or prior to, the public hearing. 2. Pursuant to Code of Civil Procedure Section 1094.6(b) and Government Code Section 65009(c)(1), no lawsuit challenging a City Council decision, as defined by Code of Civil Procedure Section 1094.6(e), regarding a use permit, variance or other permit may be filed more than ninety (90) days after the date the decision becomes final, as defined in Code of Civil Procedure Section 1094.6(b). Any lawsuit not filed within that ninety (90) day period will be barred.