

Riemer, Allison

From: Laura Veit <laura.veit@gmail.com>
Sent: Tuesday, November 4, 2025 7:24 AM
To: Landmarks Preservation Commission
Subject: 21 Mosswood Road: Revised Mills Act Materials
Attachments: Explanation_09-22-25 Corrections and Revisions.pdf; 1.Corrected Financial Analysis.092225.IW.pdf; 2.REVISED REHABILITATION PLAN.092225.pdf; 3.Zillow Rental Estimate.pdf; 4.21 Mosswood_2024-2025 Tax Bill.pdf

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Dear LPC Commissioners,

We are the property owners at 21 Mosswood Road, which is the subject of a Mills Act Application listed as Agenda Item 7A on the November 6, 2025 Agenda.

In response to LPC feedback on September 4, 2025, we took steps to correct, revise, and resubmit our Mills Act Application materials. We anticipated that our resubmitted materials would soon be available before the LPC for continued deliberation in a public hearing. However, based on conversations with Staff, we now understand that the LPC has not yet seen our revised materials in the six weeks since their submission. As a result, we find it important to share these materials with the LPC directly. They are attached here, as submitted to Allison Riemer on September 22, 2025.

As you are aware, our previous Mills Act Financial Analysis Spreadsheet greatly overstated the Current Tax value for our property. It turns out that our historic preservation consultant unintentionally used the tax value from the Hillside School Mills Act Application, which she had prepared in 2020, on our original application's financial analysis. This value grossly exaggerated the size of the Mills Act tax savings for our application and made it appear that our property had a similar tax savings to 2845 Woolsey Street, a home assessed at over twice the value of our own property.

In fact, our application presents no extraordinary cost to the City. The tax savings are actually on par with the application for 1619 Walnut Street, which was approved by the LPC on September 4. Please see the attached "Explanation of 9/22/2025 Corrections and Revisions" for more information.

We firmly believe that our Mills Act application, as corrected and revised, is a strong candidate for a Mills Act Contract, including under proposed Mills Act reforms:

- The current assessment of 21 Mosswood Road is less than \$2 million, which would make the property eligible for consideration under the reforms drafted by the LPC Mills Act Committee, as presented and discussed at the October 6, 2025 LPC Meeting.
- The significance of the property is well established and wide-ranging. The Mouser-Parsons House was landmarked according to every criterion in the LPO ([LPC Minutes, March 6, 2025](#)).
- The property is a particularly prominent landmark on Panoramic Hill, a National Register Historic District popular among walkers and hikers. The house is sited close to the public right-of-way at an intersection between a street and a pedestrian path.

- The work plan deals with clear rehabilitation needs, and includes a focus on making the landmark more resilient in the face of earthquakes. This is especially relevant given the landmark's position close to the Hayward Fault, which has an estimated 33% chance of having a 6.7 magnitude or stronger earthquake in the next 18 years (based on [USGS Earthquake Outlook for the San Francisco Bay Region](#)).
- The estimated cost of the Mills Act application, as corrected, is modest, when seen in comparison to other Berkeley Mills Act Contracts. In addition, the tax savings account for only 22% of the total cost of the work plan.

It appears as if the City Council is poised to suspend consideration of pending Mills Act applications indefinitely. The LPC may not be permitted to continue the public hearing for 21 Mosswood Road on December 4, as recommended by Staff. Given that circumstance, we intend to present these updates on November 6 under the Agenda Item for our application so that the Commission has a chance to deliberate on the updates we made based on your feedback on September 4.

Respectfully,
Laura Veit and Isaac Warshauer

Attachments:

- Explanation of 9/22/2025 Corrections and Revisions to the 21 Mosswood Road Mills Act Application. (Explanation_09-22-25 Corrections and Revisions.pdf)
- Corrected 21 Mosswood Road Financial Analysis Spreadsheet, as shared with LPC staff on September 22, 2025. (1.Corrected Financial Analysis.092225.IW.pdf)
- Revised Rehabilitation Plan, as shared with LPC Staff on September 22, 2025. (2.REVISED REHABILITATION PLAN.092225.pdf)
- Zillow Rental Estimate Screenshot, as shared with LPC Staff on September 22, 2025. (3.Zillow Rental Estimate.pdf)
- 21 Mosswood 2024-2025 Tax Bill, as shared with LPC Staff on September 22, 2025. (4.21 Mosswood_2024-2025 Tax Bill.pdf)

11/03/2025

Explanation of 9/22/2025 Corrections and Revisions to the 21 Mosswood Road Mills Act Application

First, we would like to explain the error in the Current Tax entry provided in our packet for the September 4 hearing. It appears that Jerri Holan, the preservation professional who prepared our application, used an Excel file from a previous Mills Act application—for the much larger Hillside School property at 1581 Le Roy Avenue—as the basis of our financial analysis. She did this because there was an error on the form available on the City’s website at the time she was preparing our application. Staff suggested that she could put new values into the old spreadsheet. In doing so, Ms. Holan inadvertently retained the Current Tax value from that application (\$55,072), rather than inserting a tax value for our property at 21 Mosswood Road.

We were very upset to learn that we let such a mistake appear on our application, and we are providing this explanation to demonstrate that the error was unintentional.

We corrected our financial analysis in two ways based on feedback from the LPC:

1. We corrected the Current Tax value to include only the ad valorem tax for 21 Mosswood Road on the most recent tax bill available at the time (\$20,372).
2. We established an estimated rent for the home by utilizing Zillow (\$7,817).

The corrected financial analysis for 21 Mosswood Road dramatically reduces the expected tax savings and the corresponding cost to the City.

- Our previous analysis erroneously estimated a total tax savings of **\$583,520** and an annual cost to the City starting at **\$7,729** in Year One.
- The corrected analysis, based on the actual tax bill, estimates a total tax savings of **\$164,845** and an annual cost to the City starting at only **\$2,202** in Year One, a reduction from the erroneous analysis of over 71%.
- By comparison, the 1619 Walnut Street Mills Act Application estimates a total tax savings of **\$148,880** and an annual cost to the City starting at **\$2,062** in Year One.

With a more accurate level of tax savings in mind, we revised the Rehabilitation Plan to represent a reasonable scope of work:

1. We removed the exterior wildfire suppression sprinklers from the plan.
2. We removed the garage rehabilitation work from the plan.

The work plan still represents a major financial commitment on our part, as **tax savings only account for 22% of the cost of the revised work plan.**

FINANCIAL ANALYSIS FOR MILLS ACT CONTRACT - 21 MOSSWOOD ROAD												
REVENUES		Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
1) Monthly Rental Income*		\$7,817										
2) Annual Rental Income	3% Annual Increase	\$93,804	\$96,618	\$99,517	\$102,502	\$105,577	\$108,745	\$112,007	\$115,367	\$118,828	\$122,393	\$126,065
ANNUAL EXPENSES												
3) Insurance	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
4) Utilities	6%	\$5,628	\$5,797	\$5,971	\$6,150	\$6,335	\$6,525	\$6,720	\$6,922	\$7,130	\$7,344	\$7,564
5) Maintenance	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
6) Management	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
7) Other	2%	\$1,876	\$1,932	\$1,990	\$2,050	\$2,112	\$2,175	\$2,240	\$2,307	\$2,377	\$2,448	\$2,521
8) Total Expenses (Sum Line 3-7)		\$21,575	\$22,222	\$22,889	\$23,575	\$24,283	\$25,011	\$25,762	\$26,534	\$27,330	\$28,150	\$28,995
NET OPERATING INCOME (Line 2 Minus 8)		\$72,229	\$74,396	\$76,628	\$78,927	\$81,294	\$83,733	\$86,245	\$88,833	\$91,498	\$94,243	\$97,070
CAPITALIZATION RATE												
9) Interest Component	6.75%											
10) Historic Property Risk Component (2% for comm. & apts, or 4% for SFD & Condos)	4%											
11) Property Tax Component	1.24%											
12) Amortization Component	1.67%											
13) Capitalization Rate (Sum Line 9-12)	13.66%											
TAXES												
14) Mills Act Assessment (Net Operating Income/Line 13)		\$528,763	\$544,626	\$560,965	\$577,794	\$595,128	\$612,982	\$631,371	\$650,312	\$669,822	\$689,916	\$710,614
15) Tax Under Mills Act (Line 14 X .0125)		\$6,610	\$6,808	\$7,012	\$7,222	\$7,439	\$7,662	\$7,892	\$8,129	\$8,373	\$8,624	\$7,284
16) Current Tax**	2% Annual Increase	\$20,372	\$20,779	\$21,195	\$21,619	\$22,051	\$22,492	\$22,942	\$23,401	\$23,869	\$24,346	\$24,833
17) Tax Savings (Line 16 - Line 15)		\$13,762	\$13,971	\$14,183	\$14,396	\$14,612	\$14,830	\$15,050	\$15,272	\$15,496	\$15,722	\$17,549
ANNUAL COST TO THE CITY												
18) Annual Cost to the City (Line 17 X 16%)		\$2,202	\$2,235	\$2,269	\$2,303	\$2,338	\$2,373	\$2,408	\$2,444	\$2,479	\$2,516	\$2,808

*Monthly Rental Income based on Zillow Estimate September 4, 2025
**Current Tax value is based on the Total Ad Valorem Tax indicated on 2024-2025 Alameda County Property Tax Statement for Parcel 55-1862-5

MILLS ACT APPLICATION
2025-2035 REHABILITATION PLAN & RESTORATION SCHEDULE

for
21 Mosswood Road
Berkeley, CA 94704

September 22, 2025

<i>Feature</i>	<i>Location</i>	<i>Character Defining?</i>	<i>Condition</i>	<i>Recommended Treatment</i>	<i>Schedule (Estimated)</i>	<i>Budget* (From bids)</i>
SITE & LANDSCAPE REPAIRS						
Entry stairs, retaining wall and walkway	Front Yard	Yes	Poor	Repair stairs, wall and uneven brick walkway	2034	\$20,000
CONCRETE & STRUCTURAL REPAIRS						
Foundations at west, south and portion of east walls	South, west, and east foundations	No	Poor	Replace existing front cracked foundation and install new piers per Engineer's plan	2027-28	\$300,000
Dry Rot Repair	Entire Building	Yes	Poor	Replace dry-rotted framing at walls, floors, wood trim, at scuppers and gutters	2027-28	\$20,000
Seismic Stabilization of house	Entire Building	No	Poor	Shear plywood and structural improvements per Engineering	2027-28	\$40,000
MOISTURE PROTECTION						
Site Drainage	Entire Building	No	Poor	Provide drainage for storm water, install french drain behind new front foundation, and direct water away from foundations and walls of house	2027-28	\$20,000

Waterproofing and Damproofing	Entire Building	No	Fair	Repair door and window leaks, add weatherstripping and flashing	2026	\$15,000
Balcony Membranes	Two Rear Balconies	Yes	Fair	Repair and replace balcony membranes	2030	\$15,000
Integral (Redwood?) Gutters and Downspouts	Entire Building	Yes	Poor	Repair and replace all leaking scuppers, missing downspouts, and gutters	2028	\$20,000
Sheet Metal Flashings and Trim	Entire House	Yes	Fair	Patch and repair at damaged areas including all four metal roofs	2029	\$10,000
Roof Accessories	Entire House	Yes	Fair	Repair damaged vents, parapets, and flashing at chimney. Periodic maintenance of all mastic at roof penetrations.	2028	\$10,000
DOOR & WINDOW REPAIRS						
Historic Exterior Doors	Front and Side Elevations	Yes	Fair	Repair and refinish four existing doors including thresholds	2033	\$8,000
Wood Windows	Entire House	Yes	Fair	Repair, restore, and repaint all existing wooden windows to full operation. Preserve all original glass, install new glazing putty as required.	2033	\$40,000
EXTERIOR FINISHES						
Exterior Paint	Wood doors and windows, eaves, trim and casings	Yes	Fair	Maintenance: One complete paint job every 10 years	2026-2036	\$50,000
Wood Shingle Siding	Entire House	Yes	Poor	Replace wood shingles to match existing, retaining the 10" double 'long' shingle pattern including waterproof stain and scaffolding	2031	170,000
TOTAL ESTIMATED REHABILITATION & MAINTENANCE COSTS						\$738,000

**Costs for budget allocation provided by licensed building contractors.*

Zillow Rental Manager

Properties +

Messages

Payments

Alerts

Isaac Warshauer ▾

 **21 Mosswood Rd** OFF-MARKET
Berkeley, CA 94704

- Overview**
- Listing
- Applications
- Leases
- Payments
- Maintenance

Payments

Details

Upcoming payments will appear here
Set up payments

Leases

Details

Active leases will appear here
Upload or create a lease

Listing

Details

Last listed	Rent Zestimate®
-	\$7,817

List your property

Next steps

-  **Upload or create a lease** >
-  **Create a property condition report** >

The Rent Zestimate is Zillow's best estimate of a home's value as a rental property. [Learn more](#) about the Rent Zestimate.

2024-2025 INTERNET COPY
For Fiscal Year Beginning July 1, 2024 and Ending June 30, 2025
ALAMEDA COUNTY
SECURED PROPERTY TAX STATEMENT
Henry C. Levy, Treasurer and Tax Collector
1221 Oak Street, Room 131
Oakland, California 94612

Parcel Number	Tracer Number	Tax-Rate Area	Special Handling
55-1862-5	14025400	13-000	

Location of Property
21 MOSSWOOD RD, BERKELEY
Assessed to on January 1, 2024

ASSESSEE NAME AND ADDRESS ARE NOT AVAILABLE ONLINE
PER CA GOV CODE §6254.21

THIS IS NOT AN OFFICIAL BILL

Tax-Rate Breakdown		
Taxing Agency	Tax Rate	Ad Valorem Tax
COUNTYWIDE TAX	1.0000 %	16,930.00
VOTER APPROVED DEBT SERVICE:		
COUNTY GO BOND	0.0089 %	150.67
CITY OF BERKELEY	0.0609 %	1,031.04
SCHOOL UNIFIED	0.0780 %	1,320.54
SCHOOL COMM COLL	0.0394 %	667.04
BAY AREA RAPID TRANSIT	0.0148 %	250.56
EAST BAY REGIONAL PARK	0.0013 %	22.01
TOTAL AD VALOREM TAX (AV TAX)	1.2033 %	20,371.86

Fixed Charges and/or Special Assessments			
Description	Exemption Code	Phone	Amount
CITY ST LIGHTING		510-981-7200	41.08
CITY LANDSCP/PARK		510-981-7200	840.68
CITY LIBRARY SVC		510-981-7200	1,065.12
MOSQ MSR K 1982		800-273-5167	1.74
CSA PARAMEDIC		800-273-5167	40.32
VEC CNTRL MSR A 84		800-273-5167	5.92
PARAMEDIC SUPPLMNT		510-981-7200	178.04
FIRE/EMG SRVC TAX		510-981-7200	239.28
2018 STREET LIGHT		510-981-7200	17.96
2018 STORM WATER		510-981-7200	70.18
FIRE/WILDFIRE PREV		510-981-7200	464.10
CSA LEAD ABATEMENT		510-567-8280	10.00
PERALTA 2018MEAS E		800-792-8021	48.00
SCHOOL MAINTENANCE		510-644-8717	395.62
SCHL ED PROGS/BSEP		510-644-8717	1,775.02
SCH EDUCATOR/BERRA		510-644-8717	539.00
SFBRA MEASURE AA		888-508-8157	12.00
HAZ WASTE PROGRAM		800-273-5167	7.80
VECTOR CNTRL ASMT		800-273-5167	6.38
MOSQUITO ASMT 2008		800-273-5167	2.50
EBRPD CFD NO A/C-3		888-512-0316	12.00
AC TRANSIT MEAS VV		800-273-5167	96.00
SEE SEC 8 ON REVERSE SIDE FOR DTLs			
Additional Total from Reverse Side			720.76
Total Fixed Charges and/or Special Assessments			6,589.50

Tax Computation Worksheet			
Description	Full Valuation	x Tax Rate	= Tax Amount
LAND IMPROVEMENTS	510,000		
FIXTURES	1,190,000		
TOTAL REAL PROPERTY	1,700,000		
PERSONAL PROPERTY			
GROSS ASSESSMENT & TAX	1,700,000	1.2033 %	20,456.09
HOMEOWNERS EXEMPTION	-7,000	1.2033 %	-84.23
OTHER EXEMPTION			
TOTAL AD VALOREM TAX	1,693,000	1.2033 %	20,371.86
Ad Valorem Tax plus Special Assessments			26,961.36
First Installment	Second Installment	Total Amount Due	
PAID \$ 13,480.68	PAID \$ 13,480.68	\$ 26,961.36	

Please Read Important Messages

A fee of \$61.00 will be imposed on all returned or dishonored payments.

ECheck is free of charge; Accepted through June 30, 2025 @ <http://www.acgov.org/propertytax/>.

Visa, Mastercard, Discover, or American Express credit cards accepted by phone (510)272-6800 or online @ <http://www.acgov.org/propertytax/> through June 30, 2025. A convenience fee equal to 2.3% of the tax amount due will be added to your total payment.

Subscribe to receive email alerts about important property tax dates online @ <http://www.acgov.org/propertytax/>.

This bill is as of September 18, 2025 10:44 PM and may not include pending payments and roll corrections.

Please See Reverse For More Information

Tax Collector's Office
Payment Questions/Credit Card Payments
(510) 272-6800

Assessor's Office
Valuation/Exemption
(510) 272-3787 (510) 272-3770

SECOND INSTALLMENT PAYMENT, 2024-2025

PARCEL NO. 55-1862-5
TRACER NO. 14025400

2

INTERNET COPY

THIS AMOUNT DUE FEB 1, 2025 ==> PAID \$ 13,480.68



After APRIL 10, 2025 pay

(Includes delinquent penalty of 10% and \$10.00 cost)

PAID APR 10, 2025

FIRST INSTALLMENT PAYMENT, 2024-2025

PARCEL NO. 55-1862-5
TRACER NO. 14025400

1

INTERNET COPY

THIS AMOUNT DUE NOV 1, 2024 ==> PAID \$ 13,480.68



After DECEMBER 10, 2024 pay

(Includes delinquent penalty of 10%)

PAID OCT 29, 2024

Additional Fixed Charges and/or Special Assessments			
Description	Exemption Code	Phone	Amount
PHYS DISABLED		510-981-7200	79.66
EBMUD WETWEATHER		866-403-2683	526.00
EAST BAY TRAIL LLD	a	888-512-0316	5.44
CLEAN STORM WATER		510-981-7200	109.66
Total Additional Fixed Charges and/or Special Assessments			720.76

IMPORTANT REMINDERS

- Partial payments are not acceptable - payments made for less than the total installment due will be returned to the taxpayer.
- Notices will not be mailed when the second installment is due. Mark your calendar or subscribe to e-mail alerts online @ www.acgov.org/propertytax.
- Filing an application for reduced assessment does not relieve the applicant from the obligations to pay the taxes on the subject property before the applicable due date shown on the tax bill. If a reduction is granted, a proportionate refund of taxes will be made by the County Auditor's Office.
- New owners and present owners with new construction may be required to pay a Supplemental tax bill. Supplemental tax bills are separate from and in addition to this annual bill and any previous or subsequent Supplemental bills.

SEND THIS STUB WITH YOUR 2nd INSTALLMENT PAYMENT

Due: FEBRUARY 1, 2025
 Delinquent: 5 p.m., APRIL 10, 2025

Do Not Use This Stub After June 30, 2025
 2nd INSTALLMENT PAYMENT CANNOT BE
 ACCEPTED UNLESS 1st INSTALLMENT IS PAID

SEND THIS STUB WITH YOUR 1st INSTALLMENT PAYMENT

Due: NOVEMBER 1, 2024
 Delinquent: 5 p.m., DECEMBER 10, 2024

Do Not Use This Stub After June 30, 2025
 TO PAY BOTH INSTALLMENTS SEND BOTH STUBS

INFORMATION ABOUT YOUR 2024-2025 SECURED TAX BILL

- Property Assessment and Attachment of Tax Lien:** The Assessor annually assesses all the property in the county, except state-assessed property, to the person owning, claiming, possessing, or controlling it at 12:01 a.m. January 1, and a lien for taxes attaches at that time preceding the fiscal year for which the taxes are levied.
 - (a) If you disagree with a change in the assessed value as shown on the tax bill, you may have the right to an informal assessment review by contacting the Assessor's Office. If you disagree with the results of the informal review, you have the right to file an application for reduction in assessment for the following year with the Alameda County Assessment Appeals Board from July 2 to September 15. The Assessment Appeals Board may be contacted at the County Administration Building, Room 536, 1221 Oak Street, Oakland, California 94612 or by calling (510) 272-6352.
 - (b) Application for review and equalization of an assessment made outside of the regular assessment period must be filed with the Alameda County Assessment Appeals Board no later than 60 days from the first notification of that assessment.
- Your Tax Collector does not determine the amount you pay in taxes.** Tax amounts are computed by multiplying the property's full value by the tax rates of the various taxing agencies. Fixed charges and/or special assessments such as Flood Control Benefit Assessment, sewer service, special assessment improvement bond charges, delinquent garbage liens, etc. from cities and districts are added to the computed tax amounts to arrive at the total amount due on the bill.
- The Total Amount Due is payable in two installments:**
 - (a) The 1st installment is due on **NOVEMBER 1, 2024** and is delinquent at 5 p.m. **DECEMBER 10, 2024** after which a 10% penalty attaches.
 - (b) The 2nd installment is due on **FEBRUARY 1, 2025** and is delinquent at 5 p.m. **APRIL 10, 2025** after which a 10% penalty and \$10 cost attach.
 - (c) In order to pay both installments at the same time, remit the **TOTAL AMOUNT DUE** with both installment payment stubs by **DECEMBER 10, 2024**.
 - (d) If above delinquent due dates fall on a Saturday, Sunday, or legal holiday, no penalty is charged if payment is made by 5 p.m. on the next business day.
- If the amount due is unpaid at 5 p.m. June 30, 2025,** it will be necessary to pay (a) delinquent penalties, (b) costs, (c) redemption penalties, and (d) a redemption fee. If June 30 falls on a Saturday, Sunday, or legal holiday, no redemption penalties shall attach if payment is made by 5 p.m. on the next business day. Property delinquent for the first year shall be declared defaulted for non-payment of taxes. After 5 years, the Tax Collector has the power to sell tax-defaulted property that is not redeemed.

5. Homeowners' Exemption. If your tax bill shows zero value on the Homeowners' Exemption line and you owned and occupied this property on January 1, 2024, you may be eligible for a partial (80%) homeowners' exemption if you file a claim with the Assessor on or before December 10, 2024. The homeowners' exemption tax reduction is attributable to the state-financed homeowners' tax relief program.

6. Questions about property valuation, exemptions, payments and fixed charges and/or special assessments should be directed to the telephone numbers indicated on the front of this bill.

7. Property Tax Postponement for Senior Citizens, Blind, Or Disabled Persons. The State Controller's Office (SCO) administers the Property Tax Postponement (PTP) program, which allows eligible homeowners to postpone payment of current-year property taxes on their primary residence. PTP applications are accepted from October 1 to February 10 each year. Go to www.ptp.sco.ca.gov for more information. If you have any questions, call (800)952-5661 or email postponement@sco.ca.gov.

8. Possible Exemption Codes:
 a = Senior Citizen
 b = Low Income

Exemption codes indicate that a particular exemption type is offered by the levying district. Exemption eligibility requirements and the application process are available by calling the phone numbers provided.

Riemer, Allison

From: Laura Veit <laura.veit@gmail.com>
Sent: Sunday, November 2, 2025 10:34 AM
To: All Council; Berkeley Mayor's Office; Landmarks Preservation Commission
Cc: Isaac Warshauer
Subject: Letter from Mills Act Applicants: 21 Mosswood Road
Attachments: 1.Corrected Financial Analysis.092225.IW.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Mayor and Councilmembers,

We are first-time homeowners, parents of a young child, and residents of District 8.

As the homeowners at 21 Mosswood Road, we were very concerned to hear that the City Council is considering suspending our pending Mills Act application without concluding the public hearing for the application.

As applicants applying to a City program, we had only one expectation: that our application would receive a fair hearing according to established criteria. We also understood that the first step in that process would be a public hearing conducted by the LPC, followed by approval or denial (in a public hearing) by the City Council.

In the course of spending the time and money necessary to make a Mills Act application (more than \$16,000 in consultant and application fees; months of research and consultation) We always understood that this was a discretionary process, but we also understood, like applicants to any program, that applying was worth a shot if we were well prepared.

So we struggle to understand why the City Council is taking extraordinary measures to include our application in a suspension of the Mills Act program, preventing the consideration that predicated our very submission.

Our application represents neither an extraordinary cost to the City nor an abuse of the Mills Act. In fact, based on the corrected financial information provided to staff in September at the request of the LPC (see attached), the cost of our application is on par with the Mills Act Contract for 1619 Walnut Street, which the City is poised to approve on the Consent Calendar for November 18. **The tax savings for 21 Mosswood Road are significantly less than those estimated for any of the Mills Act Contracts approved by the City Council in 2024.**

- 21 Mosswood Road: estimated Year One tax savings of **\$13,762**, with a cost to the City of **\$2,201**.
- 1619 Walnut Street: estimated Year One tax savings of **\$12,885**, with a cost to the City starting at **\$2,062**.

Furthermore, the work plan, to which we would legally commit as part of a Mills Act Contract, only expects to use tax savings to offset **22%** of rehabilitation costs. **We applied to the Mills Act on the basis of what it**

should be: a program to help offset the extra cost of maintaining historically significant features and safeguarding them for future generations. We welcome reforms recently discussed by the LPC, including rigorous accountability measures to ensure that work plans are being completed by contract holders.

Our application was knowingly misrepresented by Jeff Baker et al. in a September 9, 2025 letter to the City Council. Our original submission to the LPC contained an inadvertent clerical error that showed tax savings of more than 3 times what we would actually receive. We corrected this error with Staff six weeks ago. Mr. Baker was, in fact, the first person to alert us to this mistake just prior to our September 4 hearing, and so knew that our application would not result in the cost he claimed. Furthermore, at no point in our public hearing did we state or even imply that the City was required to "rubber stamp" our application. On this point, Mr. Baker appears to have conflated us with the applicant for 2845 Woolsey Street.

Based on the Staff Report, it would seem that the September 9 letter referenced above explicitly informed Councilmembers' decision to take action to pre-empt conclusion of our public hearing. If that is so, the Council should consider that, for all the strengths of its general analysis of the flaws of the Mills Act Program, the letter does not provide an accurate representation of our application.

As applicants for a City program, we just expect a fair hearing. That hearing is underway, and, in that process, the LPC and City Council have the discretion to rule in favor of or against our application based on its merits.

We would very much appreciate an honest answer to the question at top of our minds: why does addressing the flaws of the Mills Act Program necessitate interrupting an ongoing deliberative process?

Respectfully,
Laura Veit and Isaac Warshauer

FINANCIAL ANALYSIS FOR MILLS ACT CONTRACT - 21 MOSSWOOD ROAD												
REVENUES		Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
1) Monthly Rental Income*		\$7,817										
2) Annual Rental Income	3% Annual Increase	\$93,804	\$96,618	\$99,517	\$102,502	\$105,577	\$108,745	\$112,007	\$115,367	\$118,828	\$122,393	\$126,065
ANNUAL EXPENSES												
3) Insurance	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
4) Utilities	6%	\$5,628	\$5,797	\$5,971	\$6,150	\$6,335	\$6,525	\$6,720	\$6,922	\$7,130	\$7,344	\$7,564
5) Maintenance	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
6) Management	5%	\$4,690	\$4,831	\$4,976	\$5,125	\$5,279	\$5,437	\$5,600	\$5,768	\$5,941	\$6,120	\$6,303
7) Other	2%	\$1,876	\$1,932	\$1,990	\$2,050	\$2,112	\$2,175	\$2,240	\$2,307	\$2,377	\$2,448	\$2,521
8) Total Expenses (Sum Line 3-7)		\$21,575	\$22,222	\$22,889	\$23,575	\$24,283	\$25,011	\$25,762	\$26,534	\$27,330	\$28,150	\$28,995
NET OPERATING INCOME (Line 2 Minus 8)		\$72,229	\$74,396	\$76,628	\$78,927	\$81,294	\$83,733	\$86,245	\$88,833	\$91,498	\$94,243	\$97,070
CAPITALIZATION RATE												
9) Interest Component	6.75%											
10) Historic Property Risk Component (2% for comm. & apts, or 4% for SFD & Condos)	4%											
11) Property Tax Component	1.24%											
12) Amortization Component	1.67%											
13) Capitalization Rate (Sum Line 9-12)	13.66%											
TAXES												
14) Mills Act Assessment (Net Operating Income/Line 13)		\$528,763	\$544,626	\$560,965	\$577,794	\$595,128	\$612,982	\$631,371	\$650,312	\$669,822	\$689,916	\$710,614
15) Tax Under Mills Act (Line 14 X .0125)		\$6,610	\$6,808	\$7,012	\$7,222	\$7,439	\$7,662	\$7,892	\$8,129	\$8,373	\$8,624	\$7,284
16) Current Tax**	2% Annual Increase	\$20,372	\$20,779	\$21,195	\$21,619	\$22,051	\$22,492	\$22,942	\$23,401	\$23,869	\$24,346	\$24,833
17) Tax Savings (Line 16 - Line 15)		\$13,762	\$13,971	\$14,183	\$14,396	\$14,612	\$14,830	\$15,050	\$15,272	\$15,496	\$15,722	\$17,549
ANNUAL COST TO THE CITY												
18) Annual Cost to the City (Line 17 X 16%)		\$2,202	\$2,235	\$2,269	\$2,303	\$2,338	\$2,373	\$2,408	\$2,444	\$2,479	\$2,516	\$2,808

*Monthly Rental Income based on Zillow Estimate September 4, 2025
 **Current Tax value is based on the Total Ad Valorem Tax indicated on
 2024-2025 Alameda County Property Tax Statement for Parcel 55-1862-5

Riemer, Allison

From: Karin Engstrom <kepicturwoman@gmail.com>
Sent: Monday, November 3, 2025 12:13 PM
To: Landmarks Preservation Commission
Cc: lsb.secretary@kpfa.org; members@kpfa.org
Subject: Support for KPFA Building on Martin Luther King, Jr. Way be a Berkeley Landmark

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

I have been a listener of KPFA since the 1960's when I moved to San Francisco. I was thrilled to hear real news and information on what was happening in the Bay Area during a very turbulent time. In the mid-1970's, I moved to Southern California and listened to KPFK. Interestingly, that station was the only one I could get while living in the Angeles Forest in the 1980's - so Pacifica has been my key source for news and commentary, In the mid-1990's, I moved to Seattle and fortunately, the Internet became available and I was able to access both stations, Now, the audience for KPFA is worldwide. During fund raising, I hear many thanks to people who also live in the Northwest.

KPFA has become an integral part of my day starting at 5 am. Since 1949, they have carried out their mission:

To promote cultural diversity and pluralistic community expression.

To contribute to a lasting understanding between individuals of all nations, races, creeds and colors.

To promote freedom of the press and serve as a forum for various viewpoints.

To maintain an independent funding base.

This station birthed the concept for our national public radio stations, at one time supported and funded by our government. KPFA was founded on the belief that listeners would fund the costs of the station and we do. This, in and of itself is a landmark. Now our community is asking the Berkeley Landmarks Preservation Commission to recognize the building that has housed this wonderful radio station to be able to carry on its mission. Please do that.

I ask that you forward this email to the Board,

Ever onward! Stay safe and well!

Karin Engstrom
(206) 390-1013

"Walking . . . is how the body measures itself against the earth."
— [Rebecca Solnit](#), [Wanderlust: A History of Walking](#)

Riemer, Allison

From: Janice Thomas <mountainlionsandbears@gmail.com>
Sent: Monday, November 3, 2025 8:21 AM
To: Landmarks Preservation Commission; All Council; Berkeley Mayor's Office
Cc: Lisa Bruce for Berkeley Together
Subject: Barriers to protecting our architectural heritage

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Commissioners.

The proposed action is based on half-baked evidence and completely omits important, relevant information related to preserving and protecting our architectural heritage.

Among several points which might be made..., There is no mention of the important, reasonable and even necessary benefits which accrue from application of the Mills Act. Unmentioned is the absurdly expensive cost of housing which leads to very high taxes . By being able to deduct eligible expenses from property tax, the Mills Act provides some offset to that cost not just as a tax break but toward preservation.

Two, the older housing stock requires significant expense over the course of ownership, and those expenses include but are not limited to, a structure's foundation, the roof, shingle siding, etc . The Mills Act helps homeowners maintain their properties by, again, offsetting these costs.

Three, the city is in a position to set standards as to what can and cannot be used as a preservation expense and thus deducted . The examples mentioned in the proposed city council agenda item for the Consent Calendar on the 18th reflect badly on policy makers and in no way should be used as justification for pausing implementation of the Mills Act. Eligibility criteria could easily be corrected.

This issue of context is one of the arguments made against the Mills Act as we citizens of this town and state have exercised our rights. A corrective would be for the city to adequately survey historic resources and plan development accordingly. The city has failed developers while also demonizing the community of people interested in preserving some connection to our past.

This is a short list of objections with more to follow should this proposal proceed.

I'm sorry that I'm unable to attend this Thursday's LPC meeting but have a schedule conflict. I would like to bear witness.

Janice Thomas

Rierner, Allison

From: Karen Gilligan <mkgilligan@yahoo.com>
Sent: Friday, October 31, 2025 11:49 AM
To: Landmarks Preservation Commission; All Council; Berkeley Mayor's Office
Subject: Council Nov 10 Item 12 LPO amendment - homeowner input

Follow Up Flag: Follow up
Flag Status: Flagged

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District 5 homeowner input to [Council meeting November 10](#), Item 12, LPO Amendments
Please read **bold text for the highlights**.

I am a property-tax-paying owner of a residence in Berkeley who welcomes more tax-paying residents while also respecting the - sometimes ineffable - value of historic preservation. It would be a disaster, after decades of investment in community development and preservation, if Berkeley becomes just another one of those over-populated soulless generic concrete bedroom communities. Historic preservation is one of the antidotes to prevent such from happening. It is possible to incorporate historic preservation in moderation while building new denser housing with contemporary designs that reflect an aspirational future (such as 2209 Rose St). **A way to efficiently build something new is to *initially* design with historical sensitivity in mind whilst projecting an aspirational future. More often than not, that lack of *initial* sensibility is a key contributor to the ensuing delays.** May whatever is built survive at least another 100 years.

Here are **reactions** to the November 9th Council meeting, Item 12 [Referral](#), page 2, 1st paragraph, **underlined sentences**.

I **SUPPORT** a requirement to **gain 200 signatures** (vs current 50) from Berkeley residents when applying for a Landmark designation. It is **a reasonable "ask" and will offer more assurance that there is broad civic interest in historic preservation**.

HOWEVER,

1) Shouldn't the term "verified application" be more precisely defined to support a more informed vote by the Council? **If the "verified application" includes additional restrictions that make the process more onerous for the applicant(s), then this should be made transparent prior to a vote.**

2) I **recommend eliminating the following proposed text due to its limited value relative to practical issues with measurement, enforcement, legal exposure, and, its potential to unwittingly prolong the process: "for properties located in residential zoning districts, requiring 51 percent of the residents residing within a 300 foot radius of the subject property."**

Issues: Won't there be practical disagreement over the definition, and ability to accurately measure, "51 percent of the residents within a 300 foot radius"? Who defines "resident", who calculates the 51% number, and at what time during the application process? What is the definition of *300 foot radius*? How is this enforced?

Here is a hypothetical scenario, based on a real world possibility: Neighbors are considering applying for Landmark designation for a 1906 Arts & Craft single-family residence, designed and built by the carpenter who was likely Bernard Maybeck's preferred builder.

- a. Within 300 feet is an empty lot that is currently undergoing a build permit application review. There will be no residents - for the intended 6 condos - on this property for several years, until a new building is occupied. How many residents count for the purposes of the hypothetical new Landmark application? Do the 2 current owners of the vacant lot count as 0, 1 or 2 "resident"s?
- b. According to hearsay, the owner of a house within 300 feet includes in his tenancy rental contracts a clause that stipulates, paraphrasing, "no tenant may engage with an opinion as to the disposition of property developments on said property." Do these tenants count as "residents", and, will that tenancy contract condition prevent them from being able to express their opinion by signing a petition for an application?
- c. Or, take the case of a qualifying owner-occupied house, that includes 5-6 residents, 2 of whom are over 18 years old, 3 of whom are younger, and with 1 adult relative who occasionally resides for weeks at a time in the house. How many residents are counted?
- d. Or, take the case where 4 residents of a house within 300 feet are current tenants and they disagree amongst themselves, and with the owner of the property, as to whether or not the petition shall be signed. Who has a right to sign?
- e. Or, take the case where a qualifying residence is offered as an Airbnb on occasion. Can the Airbnb residents sign the petition?
- f. Or, take the case where a residence has been partitioned into a group rental with, say, between 6 and 12 residents. Some may be subletting, some may be couch surfing for months as guests of the tenants. In all cases, the fluidity of occupants is in a perpetual state of change. Who counts as a resident, and when does the count validly take place? Should short term renters count as residents, even when they may depart from the area before a Landmark status or build permit is granted? If so, how is short-term renter defined?

And, when it comes to Landmark designation, what is so special about 300 feet? There will be more surrounding residents affected visually, and in other practical matters, by whatever choice is made.

Maybe the qualifiers of *51%, residents, and 300 feet*, where they exist today, have merit, but, that doesn't mean they make sense in this case. Rather, **it feels like these rules are being suggested to "pass the buck" in accountability to the qualifying residents, and to decidedly and inequitably obstruct further historic preservation in the city.** Why should so few people (some of whom may not even live in the city at any great duration) have the right to represent the far greater number of city dwellers impacted by the decision? Voters pay for experienced city planners, and elect/pay for Council members, who we allow to appoint Commissioners, who themselves contribute more expert discretion to make these choices. Let them do their jobs. For certain, there should be a step in the process for public comment, with more weight placed on perspectives from the closest neighbors. But not by the method proposed in this case.

Thank you for your consideration and all that you do for our city.

Kind Regards,
Karen Gilligan