



Office of the City Manager

CONSENT CALENDAR
February 14, 2023

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Jordan Klein, Director, Planning and Development Department
 Subject: Mills Act Contract – 2523 Piedmont Avenue

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to enter into a Mills Act contract with Wilson Wong and Christian Kwan for the City Structure of Merit property at 2523 Piedmont Avenue.

FISCAL IMPACTS OF RECOMMENDATION

Approving the Mills Act contract for the City Landmark property at 2523 Piedmont Avenue would reduce the property tax bills for the owners by an estimated total of approximately \$8,400 in year one, approximately 30% of which (\$2,500) would be diverted from Berkeley's tax revenue. Final amounts are determined by Alameda County after contract execution. This will be an annual impact to the City's tax revenue, as the contract runs for ten years, in comparable annual amounts, and automatically renews annually thereafter unless notice of nonrenewal is given. In turn, the work plan commits the owners to spending the anticipated tax savings on restoring the landmarked property. The Mills Act also specifies procedures for cancellation of the contract for a breach of conditions.

Council approval will allow property tax reduction for this property to begin in the 2024-2025 fiscal year.

CURRENT SITUATION AND ITS EFFECTS

On February 3, 2022, the property at 2523 Piedmont Avenue was designated as a City of Berkeley Structure of Merit, making the property owner eligible to take advantage of the Mills Act (see Attachment 2).

On August 4, 2022, the Landmarks Preservation Commission (LPC) reviewed the proposal by the present owners, Wilson Wong and Christina Kwan, to enter into a Mills Act contract for 2523 Piedmont Avenue, including a proposed scope of work and maintenance schedule, and voted 6-2-0-1 to recommend approval of the Mills Act Contract application to City Council (Moved/Second Crandall/Adams; Yes: Adams,

Crandall, Enchill, Leuschner, Linvill, Montgomery; No: Schwartz, Twu; Abstain: none; Absent: Finacom).

BACKGROUND

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

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

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

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

RATIONALE FOR RECOMMENDATION

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

The property located at 2523 Piedmont Avenue is eligible for the Mills Act contract because it is a Berkeley Structure of Merit. The contract template has been reviewed

by the City Attorney's Office for conformance to all relevant City and State regulations. Finally, the contract includes a comprehensive work plan that the property owner has agreed to complete within the first ten-year contract period (see Attachment 3) and that provides for the property "use, maintenance and restoration as to retain its characteristics as property of historical significance." The LPC has concluded that the proposed work plan meets the standards adopted by the City Council, and the costs of the proposed improvements are anticipated to equal or exceed the tax savings afforded the owners.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE IMPACTS

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

ALTERNATIVE ACTIONS CONSIDERED

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

CONTACT PERSON

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

Attachments:

1. Draft City Council Resolution
2. LPC NOD, Structure of Merit Designation for 2523 Piedmont Avenue, April 25, 2022
3. Rehabilitation and Maintenance Plan, received May 31, 2022
4. LPC Staff Report August 4, 2022

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

AUTHORIZING THE CITY MANAGER TO EXECUTE A MILLS ACT CONTRACT AND ANY NECESSARY AMENDMENTS WITH WILSON WONG, FOR THE MAINTENANCE AND RESTORATION OF A HISTORIC PROPERTY LOCATED AT 2523 PIEDMONT AVENUE, IN RETURN FOR THE OWNER TO OBTAIN A PROPERTY TAX REDUCTION

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

WHEREAS, on February 3, 2022, 2523 Piedmont Avenue was designated as a City of Berkeley Structure of Merit and became eligible to take advantage of the Mills Act; and

WHEREAS, on August 4, 2022, the Landmarks Preservation Commission reviewed the proposed projects listed in the Mills Act Contract Application for 2523 Piedmont Avenue, and recommended that the City Council enter into a Mills Act contract with the property owner; and

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley that the City Manager is authorized and directed to execute a Mills Act Contract and any necessary amendments with Wilson Wong and Christina Kwan for the maintenance and restoration of the historic property located at 2523 Piedmont Avenue and in return offer a property tax reduction for a period of at least ten years, with a recorded copy of such contract and amendments to be on file in the Office of the City Clerk and Alameda County Clerk- Recorder.

ATTACHMENT 2



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
NOTICE OF DECISION

DATE OF BOARD DECISION: February 3, 2022
DATE NOTICE MAILED: April 25, 2022
APPEAL PERIOD EXPIRATION: May 10, 2022
EFFECTIVE DATE OF PERMIT (Barring Appeal or Certification): May 11, 2022¹

2523 Piedmont Avenue

The Wurts-Lenfest House

Landmark application (#LMIN2021-0004) for consideration of City Landmark or Structure of Merit designation status for a single-family residence – APN 055-1851-022-00.

The Landmarks Preservation Commission of the City of Berkeley, after conducting a public hearing, **APPROVED** the following designation:

- City of Berkeley Structure of Merit, pursuant to Berkeley Municipal Code Section 3.24.110.B

INITIATED BY: Petition of Berkeley Residents

ZONING DISTRICT: Restricted Multiple-Family Residential (R-2A)

ENVIRONMENTAL REVIEW STATUS: Categorically exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines -- Review for Exemptions.

The application materials for this project are available online at:

<http://www.cityofberkeley.info/zoningapplications>

¹ 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
Structure of Merit designation status - #LMIN2021-0004
2523 Piedmont Avenue – Wurts-Lenfest House
May 10, 2022
Page 2 of 4

FINDINGS, CONDITIONS AND APPROVED PLANS ARE ATTACHED TO THIS NOTICE

COMMISSION VOTE: 9-0-0-0

YES: ADAMS, CRANDALL, ENCHILL, FINACOM, JOHNSON, LEUSCHNER,
MONTGOMERY, SCHWARTZ, TWU

NO: None

ABSTAIN: None

ABSENT: None

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 you must:

1. Submit a letter clearly and concisely setting forth the grounds for the appeal to the City Clerk, located at 2180 Milvia Street, 1st Floor, Berkeley; or by facsimile to (510) 981-6901. The City Clerk's telephone number is (510) 981-6900.
 - 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. 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).
3. 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.
 - 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.

If no appeal is received, the landmark designation will be final on the first business day following expiration of the appeal period.

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
Structure of Merit designation status - #LMIN2021-0004
2523 Piedmont Avenue – Wurts-Lenfest House
May 10, 2022
Page 3 of 4

NOTICE CONCERNING YOUR LEGAL RIGHTS:

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 include the following information:
 - A. That this belief is a basis of your appeal.
 - B. Why you believe that the decision or condition constitutes a "taking" of property as set forth above.
 - C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above.

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

LANDMARKS PRESERVATION COMMISSION
NOTICE OF DECISION
Structure of Merit designation status - #LMIN2021-0004
2523 Piedmont Avenue – Wurts-Lenfest House
May 10, 2022
Page 4 of 4

PUBLIC COMMENT:

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:

Questions about the project should be directed to the project planner, Fatema Crane, at (510) 981-7410 or fcrane@cityofberkeley.info or lpc@cityofberkeley.info

ATTACHMENTS:

1. Findings and Conditions
2. Landmark application



ATTEST: _____
Fatema Crane, Secretary
Landmarks Preservation Commission

Cc: City Clerk
Property Owner: Wilson Wong & Christina Kwan, 2523 Piedmont Ave., Berkeley, CA
Applicants: Claremont Elmwood Neighborhood Association, P. O. Box 5108, Berkeley,
CA

ATTACHMENT 1, PART 2

FINDINGS FOR APPROVAL

FEBRUARY 3, 2022

2523 Piedmont Avenue – The Wurtz-Lenfest House

City of Berkeley Landmark Application #LMIN2021-0004

PROJECT DESCRIPTION

Structure of Merit Designation of the property at 2523 Piedmont Avenue [APN 055 185102200] – The Wurtz-Lenfest House

CEQA FINDINGS

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.3 of the CEQA Guidelines (activities that can be seen with certainty to have no significant effect on the environment).

LANDMARK PRESERVATION ORDINANCE FINDINGS

2. Pursuant to Berkeley Municipal Code (BMC) Section 3.24.110.B.2.c of the Landmarks Preservation Ordinance, and based on the evidence presented in the Landmark application, the Landmarks Preservation Commission of the City of Berkeley (Commission) finds that the subject property exhibits architectural merit as a good example of the East Shingle Cottage, also known as the High-Peaked Colonial Revival House. The subject main building dates to the period during which this regional style emerged and retains all of its character-defining features, including: a steeply-pitched roof with front-facing gable, horizontal wood siding on the lower story and wood shingles on the upper story; recessed entry porch with partial height pony walls and classical column posts; bay window at lower story of front elevation; windows in front gable with shingles curving inward to meet the frame; wood windows throughout with painted sashes and broad, flat trim. Further, the building retains its original design, materials and workmanship, which are the National Park Service's hallmarks of architectural integrity. For these reasons, the property and building warrant designation status as a City of Berkeley Structure of Merit.
3. Further, the Commission finds that property was the long-time residence of David Mundstock, a key figure in the development of progressive politics and government in Berkeley. Mundstock was the author of major reforms in elections, fair representation, and local government structure and policies; he was a community historian who compiled records and analysis of his era.
4. The property is one of four, extant residences in the immediate area that was developed by Rebecca Snyder Wurts and Myron Le Fevre Wurtz.

FEATURES TO BE PRESERVED, OR RESTORED WHERE POSSIBLE

This designation shall apply to the subject property and the following distinguishing features shall be preserved:

Main Building

- Two-story massing, with A-frame upper story roughly twice the height (at the ridge) than the lower story
- Recessed main entry porch, with partial-height walls topped with classical columns
- Wood exterior materials and trim, including shingles on the upper story and horizontal, narrow gauge clapboard siding on lower story
- Bay window on lower floor at front facade
- Original wood main door, including glazing in the upper half and ornamental wreath detail within the lower half
- Twenty-seven original wood windows including: west/front elevation (at ground floor and upper floors) containing double-hung with true-divided-lites and ogee lugs at the upper sash; north/side elevation (at ground and upper floors) containing double-hung with true-divided-lites and ogee lugs at the upper sash and (at upper floor) containing a horizontally-oriented, fixed true divided lite window; south/side elevation (at ground and upper floors) containing double-hung with true-divided-lites and ogee lugs at the upper sash; and east/rear (at ground and upper floors) containing double-hung with true-divided-lites and ogee lugs at the upper sash and (ground) true-divided lite wood door.

Received
OCT 04 2021
Land Use Planning

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

Wurts-Lenfest House
2523 Piedmont Avenue
Berkeley, California



Figure 1. Street (west) façade of the Wurts-Lenfest House. Anthony Bruce, 2021

1. **Street Address:** 2523 Piedmont Avenue
County: Alameda **City:** Berkeley **ZIP:** 94704
2. **Assessor's Parcel Number:** 55-1851-22 (Kearney Tract, Block 1, part of Lot 6)
Dimensions: 30 feet x 135 feet
Cross Streets: Dwight Way and Parker Street
3. **Is property on the State Historic Resource Inventory?** No
Is property on the Berkeley Urban Conservation Survey? Yes
Form #: 17540
4. **Application for Landmark Includes:**
 - a. **Building(s):** Yes **Garden:** No **Other Feature(s):** No
 - b. **Landscape or Open Space:** No
 - c. **Historic Site:** No
 - d. **District:** No
 - e. **Other:** Entire property
5. **Historic Names:** Wurts-Lenfest House
Commonly Known Name: David Mundstock's House
6. **Date of Construction:** 1901 **Factual:** Yes
Source of Information: Lot sale recorded in *SF Call*, 1 Aug. 1900;
1902 property assessment record
7. **Designer:** Unknown [A.W. Smith ?]
8. **Builder:** Unknown
9. **Style:** High-Peaked Colonial Revival
10. **Original Owners:** Myron LeFevre and Rebecca Snyder Wurts (1901);
Arabelle Lenfest and heirs (1902–c. 1915)
Original Use: Single-family residence
11. **Present Owner:** Wilson K. Wong and Christina Kwan,
2523 Piedmont Avenue, Berkeley, California 94704
Present Occupant: Vacant
12. **Present Use:** Residential
Current Zoning: R-2A **Adjacent Property Zoning:** R-2A
13. **Present Condition of Property:**
Exterior: Excellent **Interior:** Guttled **Grounds:** Defoliated
Has the property's exterior been altered? Minimally

14. Description

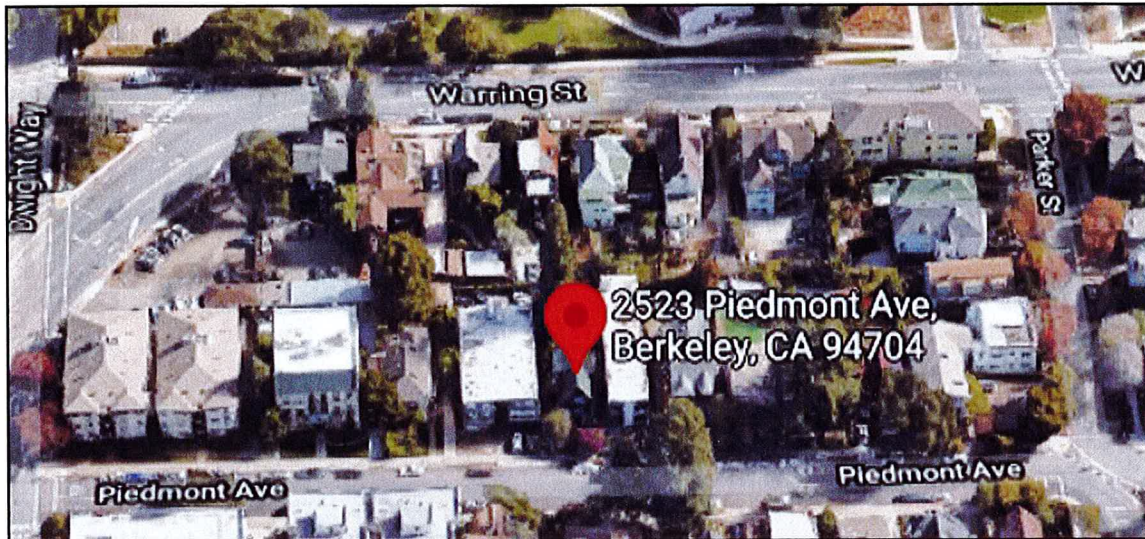


Fig. 2. Block 1, Kearney Tract. Google view.

The Wurts-Lenfest House is located at 2523 Piedmont Avenue, on a block lying directly west of the Clark Kerr Campus and south of Dwight Way. The house is a wood-framed, one-and-a-half-story structure built in 1901 in the High-Peaked Colonial Revival style.

The house is clad in narrow-gauge painted clapboard on all sides of the ground floor. Its high-peaked gable and two dormers retain the original unpainted shingles. The porch columns, windows, and front steps conform to the classic Colonial Revival style, complemented by the inward-curving gable walls flanking the upper front bay window that echoes a feature often found in the Bay Area's late Victorian shingled style houses.

The various windows (twenty-seven in all) are original, save two, and exhibit a handsome repetitive patterning. In early 2021, the house was repainted so as to compliment its distinctive features. The house is an excellent example of the High-Peaked Colonial Revival style.

Massing, Roof, and Cladding

The building's footprint is rectangular. The footprint includes a one-story, flat-roofed rear wing—typical for houses of this period—projecting to the east (fig. 3).

Typical of the High-Peaked Colonial Revival house, a dormer is featured on both the north and south slope of the main roof: a shed-roofed dormer on the north slope and a gable-roofed dormer on the south slope. Both dormers are clad in the original unpainted shingles (Figs. 4 and 5).

In the front of the house (Figs. 1 and 6), the high gable roof projects over the first floor about twenty inches. The gable has closed eaves over a plain, wide frieze board. A row of small dentils runs at the top of the frieze board, with moldings above and below.



Fig. 3. The one-story extension of the ground floor at the rear. Daniella Thompson, 2021



Fig. 4. The dormer on the north, showing the horizontal stair landing window. Daniella Thompson, 2021



Fig. 5. The south dormer over the group of four entry hall windows. Daniella Thompson, 2021

Front (West) Façade High-Peaked Gable

The front façade is distinguished by its symmetrical high roof gable and an asymmetrical ground floor (Fig. 6). The roofline of the gable is flared outward at its lower tips. Bordering the gable's shingle cladding at the roof's edge is a single row of vertical shingles. A narrow vertical vent with a wooden frame and sill is embedded in the gable wall's upper region, further emphasizing the height of the roof.

The three-sided upper front bay window is inset some twenty-five inches within the gable, with its center window flush with the gable wall. The window bay is flanked by the gable's curving walls, which form niches for the bay's side windows. The windows are painted in a handsome shade of cream trim and grey-green sash (as are all the windows). A horizontal narrow painted board undergirds the bay window inset, stretching across the front inset to unify the bay with the shingled façade.



Fig. 6. Front façade. Anthony Bruce, 2021

The three windows in the bay act as the model for the noteworthy window patterning throughout the house. They are double-hung, wood-framed, and set within molded casings. The longer lower sashes are single-paned, while the shorter upper sashes are divided by wooden muntins. The center window's upper sash is divided into twelve (4 over 3) lites, and the side windows are divided into six (2 over 3) lites. A long, plain, wooden sill extends across the bottom of the bay. It appears that recently the lower sash of the south window in the bay has been broken.

Front (West) Façade First Floor

The handsome ground-floor façade is both in balance and in contrast to the dramatic high-peaked gable above. (Figs. 1 and 6) The north side of the first floor is three-sided with one window per side set directly under the wide frieze board. Below the north facet of the bay, close to the ground, is a crawl-space access door. The south side of the first floor is defined by a substantial wide stairway with a recessed entrance porch. The height and spread of the first floor narrow-gauge clapboard



*Fig. 7. The front porch.
The Grubb Company listing photo, 2021*



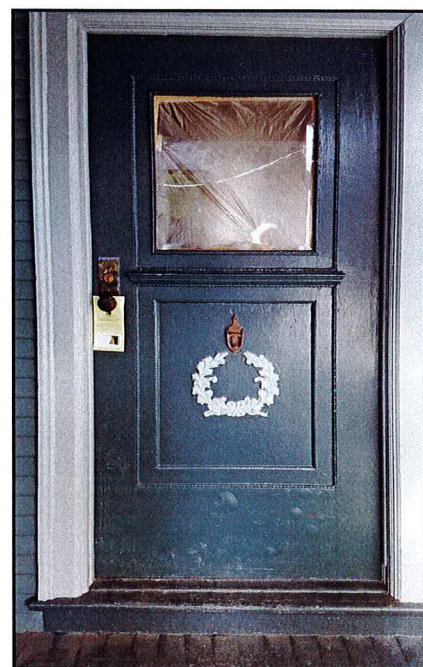
*Fig. 8. An Ionic capital on a porch column.
The Grubb Company listing photo, 2021*

siding, below the bay windows, together with the prominent wide stairway leading up to the inset porch, give the entire house frontage, including the high-peaked gable, a substantial and balanced architectural “footing” and presence.

The windows in the first floor bay are of the same type seen in the gable, but here a molded sill runs under all three facets (Fig. 7). While the center window is identical to the one in the upper bay, the side windows below have nine (3 over 3) lites in their upper sashes.

The recessed porch is open on the south side and reached by a wooden staircase flanked by two-step parapets with molded wooden caps. The southern parapet continues into the porch. Supporting the porch on the open side are two distinctive wooden Tuscan columns with Ionic capitals. The porch walls are clad in the narrow-gauge clapboard, topped by the plain wide cornice. The porch ceiling is paneled in tongue-and-groove and there is a ceiling light.

At the eastern end of the porch a finely crafted entrance door is set within wide, mitred, molded casing. The door features two rectangular frames, the upper containing a clear beveled-glass pane and the lower, a panel adorned with a garland. The door retains its original ornate brass hardware, including a bell turn that rings on the inside of the door.



*Fig. 9. The front door.
Ramine Akhavan, 2021.*

South Façade

The front part of the south façade is situated under the overhang of the gable roof (see Fig. 1). On the upper level, the gable-roofed dormer has closed roof eaves but no frieze board. A narrow vertical vent with a wood frame and sill is embedded in the gable wall's upper region. The dormer features an off-center double-hung window with twelve (4 over 3) lites in the upper sash.

On the ground floor, to the east of the porch, a distinctive bank of four small, wood-framed casement windows illuminating the entrance hall is set in a molded casing. The upper third of each window is divided into six (3 over 2) lites.

Further east is a shallow bay with three identical double-hung windows set in molded casings and featuring twelve (4 over 3) lites in the upper sash. The windows share a molded sill that is continuous from the porch parapet.

Beyond the bay begins the one-story rear wing (Fig. 3). This wing is clad in the same narrow-gauge clapboard as the rest of the house but has no frieze board. Instead, a strip of molding runs under the roof soffit. The south façade of the rear wing includes three windows. A small casement with six (3 over 2) lites in its upper part is located close to the bay. Beyond it are two double-hung windows, the first with twelve (4 over 3) lites in the upper sash and the second with nine (3 over 3).

The right bay window glass was recently broken and also the middle (or large) window for the back room appears to have been broken. The front steps are said to be being pushed out of line by the underground roots of a Bay Tree that was cut down some time ago.



*Fig. 10. South façade, looking east.
Daniella Thompson, 2021*



North Façade

On the north side, a substantial shed-roofed dormer occupies the central portion of the façade (Fig 11). Its roof slopes from the tip of the gable to the lower edge of the main roof, and its vertical wall extends directly down to the ground, enclosing the space below the gable overhang and creating additional space for the stairwell.

The north wall of the dormer includes a horizontal stairwell-landing window with eighteen (9 over 2) lites (Fig. 12) in fixed position. Further to

Fig. 11. Front façade showing some of the north elevation. Anthony Bruce, 2021

the rear in the dormer is a double-hung window with nine (3 over 3) lites. Below this window on the ground floor there is another double-hung window with nine (3 over 3) lites.

The rear wing's front part shelters under the main gable eave, while the rest possesses its own roof. A single double-hung window is set on the north wall of this wing, with twelve (4 over 3) lites in its upper sash.

Rear (East) Façade

The east wall of the main gable features two windows that are only partially visible from the ground. Both are double-hung and possess nine (3 over 3) lites in the upper sash (Fig. 3).

The rear wing's east wall has been altered. It contains two doors in flat board casings. The one on the left is wood-framed and glazed with ten (2 over 5) lites. The door in the center, which opens onto a small porch accessed by stairs, is screened, and its features and materials are not visible. Above the central door is a metal awning. To its right is a double-hung window with undivided panes, set in a narrow casing of undetermined material. At the extreme right of the wall, a patch in the clapboard suggests that a window has been removed from that spot.

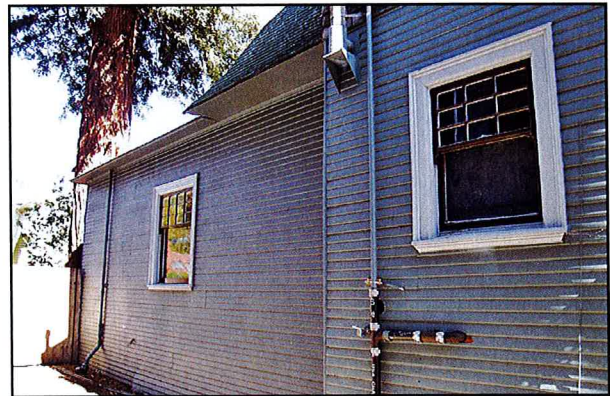


Fig. 12. The stair landing window in the north dormer (before interior demolition) The Grubb Company listing photo, 2021

Yard Areas

Both the front and back yard have recently been cleared of flowering shrubs, trees, and plants, except for a large, mature redwood tree in the back (Figs. 1 and 13). The architectural impact of the house is enhanced by the traditional garden set-back and by the natural east-west slope of the land.

Fig.13. North side of the one-story extension. Daniella Thompson, 2021



Features to Be Preserved

The Wurts-Lenfest House is a classic High-Peaked Colonial Revival house of simple, yet striking, appearance. It was seemingly designed so that every individual feature might be harmonious and contribute to a rhythm that creates a balanced, yet dramatic whole. Because the exterior of the house has been maintained in fine condition over the last one hundred and twenty years, and because the house retains almost all of its original features—all essential to its whole; therefore, all its features appear to be significant, including, but not limited to:

- the 27 original windows
- the window framing and sills
- the high-peaked gable roof
- the shingled walls within the gable roof
- the shingled dormers
- the narrow-gage clapboard siding
- the neo-classical pillars on the porch
- the wooden porch stairs and side parapets
- existing garden set-back

15. History

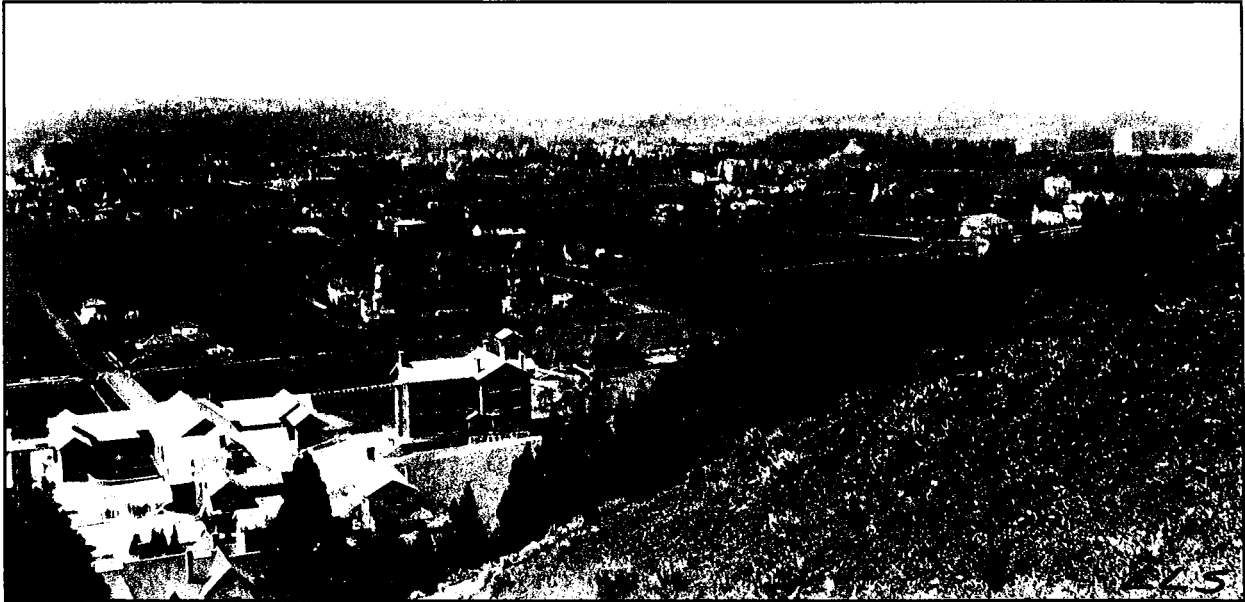


Fig. 14. The 2500 blocks of Warring and Piedmont, west of the California School for the Deaf and Blind School, seen from the hill behind the school. Berkeley Historical Society.

Introduction: John Kearney Tract

The Wurts-Lenfest House story begins with John Kearney who is said to have been one of those men who joined the Irish Catholic migration to the United States after the Potato Famine of 1846-47. In 1869, by the age of 36, he became a naturalized citizen in San Francisco. Before then, however, he was already known to be a grain farmer on a section of the East Bay Hills, above what became College Avenue, north of what became Derby Street, and south of Dwight Way. He would have obtained this land from some transaction involving the Peralta Family, but how he did is unclear given that the Peralta land transactions were questionable at that time.

John Kearney appears somewhat later to have foreseen a new direction of land use, following the lead of the College of California (then located in Oakland). In 1863, the College had purchased extensive farmland to the north of Strawberry Creek, which became the future site for the University of California (U.C.), and property to the south of Strawberry Creek extending to the point of Dwight Way, to be platted for the selling of village lots to finance an envisioned new campus. Not long after, in 1867, Kearney is recorded to have sold a 130-acre parcel of his farmland, east of what would become Warring Street, for \$12,100 in gold coin for the State Deaf, Dumb, and Blind Asylum, or the California School for the Deaf and Blind, now U.C.'s Clark Kerr Campus.

The Berkeley Architectural Heritage Association (BAHA) tour booklet entitled "The Making of a Streetcar Suburb: Classic Berkeley Houses in the Kearney Tract on the College Avenue Electric Line" tells that Kearney must have felt an excitement then for the possibilities of a new town:

...Kearney was present at an historic meeting held on January 20, 1874 in the Oakland home of Francis K. Shattuck and presided over by Dr. Henry Durant, then mayor of Oakland and the first president of the University, at which a heated discussion occurred regarding incorporation of the growing community around the college campus. It was

Kearney who is reported to have made the motion to incorporate Berkeley, backed by the college professors in the room, who wanted “to keep out of the jaws of Oakland.”

The incorporation of Berkeley did not occur until 1878, but Kearney proceeded regardless to subdivide his remaining farmland into a residential tract composed of six blocks. He filed the subdivision map with the County of Alameda, titled, “Map of the Property of John Kearney Near the State University” on September 12, 1876.

The Kearney Tract was adjacent to the College of California’s “Berkeley Property” subdivision already laid out in 1865 by Frederick Law Olmsted (known for his design of New York’s Central Park). Olmsted’s plan featured a novel, centrally divided road “along the curve of the hillside” named “Piedmont Way” (California Registered Historic Landmark No. 986, City of Berkeley Landmark #130). In 1900 the City of Berkeley renamed the street Piedmont Avenue and connected it to the Kearney Tract’s “Mark Street,” where the Wurts-Lenfest House was built in 1901.

The Kearney Tract was originally laid out in 1876 with large “villa” lots measuring 120 feet x135 feet, large enough for gardens and horse stables, as well as a house. As early as 1877, three large houses were built on the 2500 block of Piedmont, including a house in lot 6, numbered 2521 Piedmont, for William H. Chapman (where Lela Lenfest was living at the time of her death in 1951). Up until the late 1890s, the Kearney Tract simply reflected the rural life that had been in the greater East Bay: an evolving mix of farms, and clusters of houses and businesses within the town grids, a few factory sites here and there, all connected to the transcontinental railroad terminus and wharfs along the Bay. U.C. had only just begun to grow its campus.

The East Bay Building Boom

What changed life in the East Bay and, in turn, the Kearney Tract, was an economic growth and prosperity that just seemed to “boom” across the landscape in the 1890s, spreading quickly through the towns of Alameda, Oakland, and Berkeley. The clear cause was the continual modernizing of the train and ferry transportation systems connecting Oakland to San Francisco, and, then, Oakland to Berkeley.

In 1876 former Governor Leland Stanford and real estate developer Francis Kittredge Shattuck purchased a steam train right-of-way, creating a spur line from the railroad along the Bay to go up Stanford Avenue and Adeline Street—through farm property then, up to the small cluster of business properties at Shattuck and University Avenues. In 1891, well after Berkeley was incorporated and beginning to grow and thrive, the first electric streetcar was “hooked up” from central Oakland to travel out Grove Street (now Martin Luther King) to Downtown Berkeley. And, of course, as more announcements of plans for new streetcar connections were being made, property near the lines was quickly being subdivided for new homes, including all along College Avenue.



Fig. 15. The Chapman House (1877) stood at 2521 Piedmont Avenue. Note Wurts-Lenfest House to the south in this 1939 photo. Donogh File, BAHA Archives.

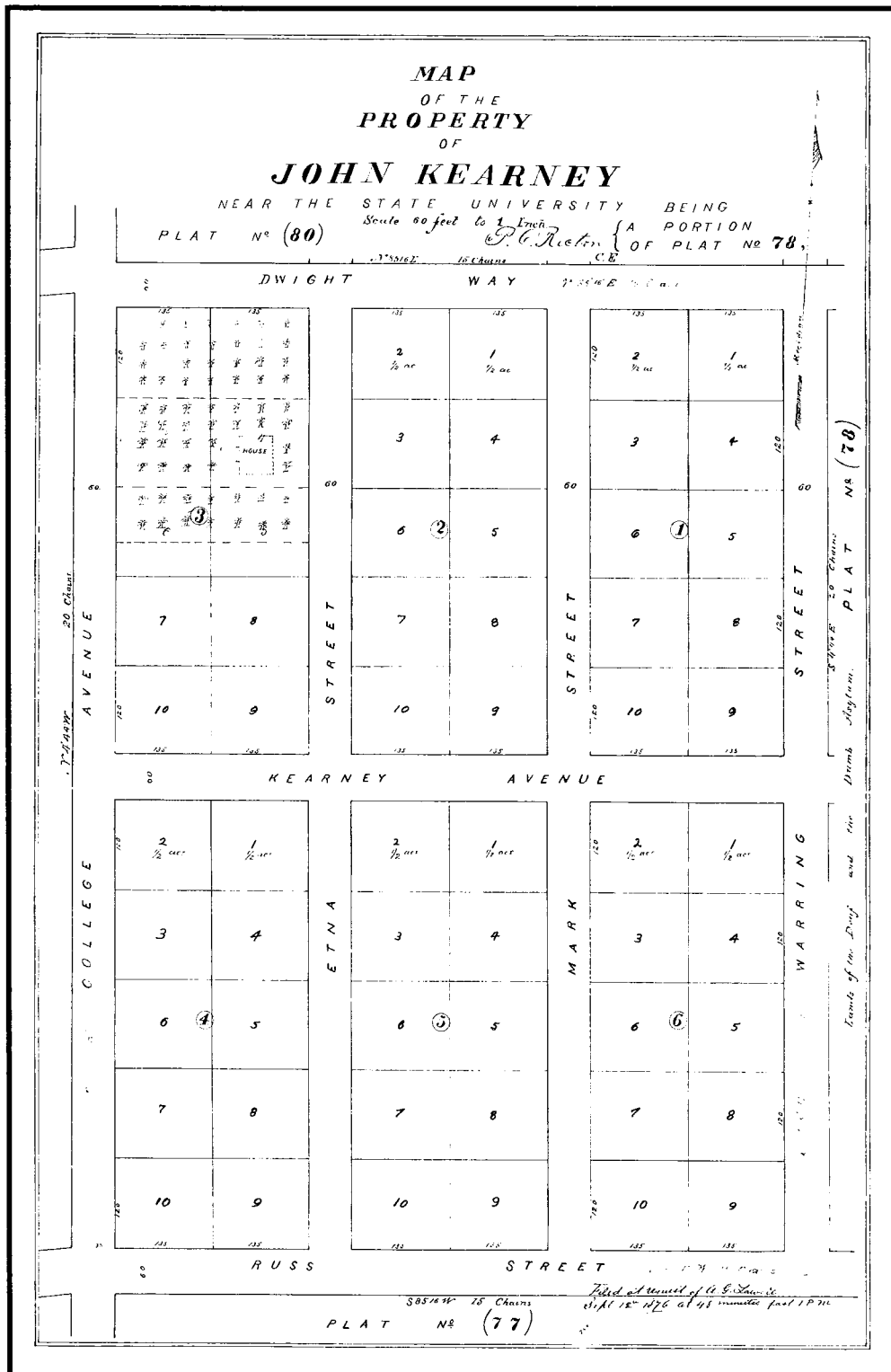


Fig. 16. Map of the Kearney Tract, filed with the County in 1876. Lot 6 in Block 1 is the site of the Wurts-Lenfest House.

Accordingly, to quote from an article in the *Oakland Enquirer*, June 12, 1899, entitled “Realty and Building”:

Large Number of Realty Sales Indicates a Very Healthy Local Market: Business in real estate and building circles is increasingly active. It has been estimated that there are at least 100 houses in process of construction in Oakland and vicinity. The rule is becoming more general that a real estate transfer means a new dwelling. There is a great demand for structures ranging in price from \$2500 to \$3000 and sales are easier made of new than old houses...The various new tracts about the suburbs which have recently been put on the market find ready buyers.

In concert with the real estate developers and the buyers, there was a ready stream of contractors and carpenters. Lumber was piling up at the piers, and most of the builders were skilled craftsmen.

Emergence of the Colonial Revival House

By the end of the 19th Century, a new American architectural vision had reached the East Bay, replacing the fanciful Queen Anne Victorian house in popularity: the Colonial Revival style (which was contemporaneously referred to as “Late Colonial Revival”). The design type, based on American house architecture of the Georgian period, presented a style of symmetry and balance, with classical details (Fig. 17 and 25). Thus, on those streets soon to be serviced by new streetcar lines, developers created rows of these handsome, boxy one- or two-story dwellings: the Colonial Revival. Again, from “The Making of a Streetcar Suburb”:

...It has a square or rectangular boxy shape, with a hipped roof and a central, usually hipped-roofed dormer. Some were designed by architects, others put up by builders from pattern books. Some are wide and large, and some narrow and small. Some have elaborate Classic details, and others are plain and covered with brown shingles in the Craftsman Style. Some were designed to look like single family dwellings but were actually built with 2-4 units. They have a good flexible floor plan, and are easy to convert to multiple units or for making additions to the rear without changing the facade.

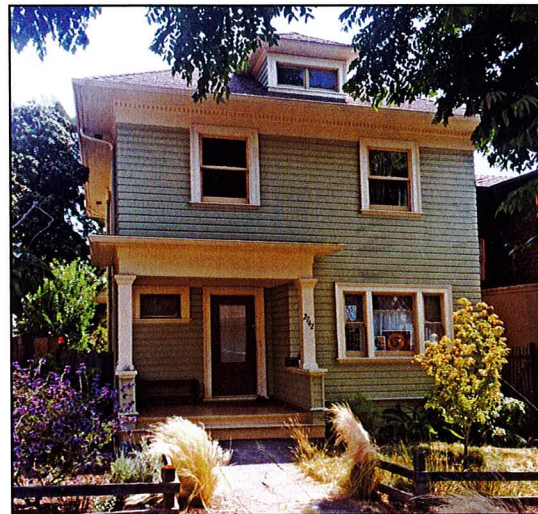


Fig. 17. A Colonial Revival style house at 2742 Garber Street. Anthony Bruce, 2021

Emergence of the High-Peaked Colonial Revival House

Interspersed with the Colonial Revival houses, there could be found an unusual variant: the High-Peaked Colonial Revival house. Sometimes, even, there were several in a row, as on the 3000 block of Martin Luther King (Fig. 22). The High-Peaked Colonial Revival house did not just appear overnight. Initially, it seems to have developed from a playfulness with the late Victorian era



Fig. 18. The high-gabled house at 2535 St. Charles Avenue in Alameda, designed by Edgar Mathews in 1894. Google Street View.



Fig.19. The earliest known true High-Peaked Colonial Revival house, at 2354 East 23rd Street in Oakland, designed by Hugo Storch in 1895. Google Street View.



Fig. 20. A High-Peaked Colonial Revival house on 33rd Street in Oakland, built by J.H. Simpson and likely designed by A. W. Smith. Google Street View.

house before it found its own distinct mode when it merged successfully with the Colonial Revival house style, embellishing it with a dramatic high-peaked roof flair, after a short experimental period in the late 1890s (Figs. 20,21,23). In time, the High-Peaked Colonial Revival house became so stylized and balanced, that it appeared that if the gable roof were to be removed, then the first floor could stand on its own and the house would actually be a Colonial Revival Cottage.

Yet, no two High-Peaked Colonial Revival houses appear to be alike, each appears to have its own special appeal. The design became most popular during the early 1900s, and was rarely built after about 1905. Nevertheless, these houses make up a significant part of what gives the East Bay—and Berkeley—a distinctive architectural character. Daniella Thompson in her research has identified almost 200 examples remaining in Berkeley. (see: http://berkeleyheritage.com/east-bay_then-now/highpeak_colonial.html) Very few have survived with their historic fabric intact, which makes the exterior of the Wurts-Lenfest House all the more important, as it is a perfect “text book” example of the style in fine exterior condition.

While the origin of the style is elusive, it does seem to be an East Bay phenomenon. The earliest known high-peaked “try-out” house was built in 1894 at 2535 St. Charles Street in Alameda (Fig. 18). It was designed by Oakland-born architect Edgar A. Mathews, who is much acclaimed for his later Bay Region styled residential work featuring high-gabled roofs in San Francisco’s Pacific Heights district. His Alameda house is more a playful suggestion than a true High-Peaked Colonial Revival, as there are several high gables and they are integrated into the first floor (coupled with a turret), instead of being a separate roof element.

The next pin-pointed example of the developing style, built in 1895, is a house found at 2354 East 23rd Street in Oakland’s Fruitvale district designed by Hugo Storch (Fig. 19). Storch also designed South Berkeley Community Church, 1912 (City of Berkeley Landmark #10, placed on the National Register of Historic Places). Storch’s Fruitvale house, although severely altered, includes many of the hallmarks of a High-Peaked Colonial Revival, including the design of the upper floor as a separate triangular volume from the first floor.



Fig. 21. A late 1890s High-Peaked Colonial Revival on 32nd Street in Oakland, designed by A.W. Smith. Google Street View.

Until about 1900, the High-Peaked Colonial Revival houses were elaborately ornamented. Then, given the demand on developers for new housing, the house type was simplified to feature its essential elements for speed and economy of construction. Nevertheless, whether simple or ornamented, the house is identified by its steep gable making up about two thirds of the height of the house, appearing as if it were a geometric triangular volume set on top of the first story. The window pattern(s) in the gable usually reflect Colonial Revival features (such as Palladian windows and columns) and are often repeated in other house features. Because shingles were becoming a new Bay Area building material at that time, the gable and side dormers, or entire house, might be shingled.

High-Peaked Colonial Revival House and A. W. (Alfred William) Smith, Architect (1864-1933)

The article in the June 12, 1899 *Oakland Enquirer*, telling of the building boom, also celebrates the sudden emergence of this new house type (which was called “Dutch Colonial” in the article). The writer ascribes the new style to “Mr. Smith” (failing to mention the 1895 house designed by Hugo Storch), describing a house at 36th and Grove (Martin Luther King):

...He [Smith] declares it wasn't a very handsome structure, because it exaggerated every idea he wanted to incorporate in the house which he subsequently built along this line. Mechanics and contractors who visited the structure while in course of erection laughed at it. However, notwithstanding their jeers, the style caught on and has been wonderfully popular. Mr. Smith ascribes the popularity to the growth of the artistic in the building public, which has caused a departure from the strict rules of architecture and given rise to the development of the picturesque style.

The same article attributes the growing popularity of the style to the real estate developer and builder Joseph H. Simpson, as well as to the architect A. W. Smith, conveying that the style had burst into popularity overnight, during the urgent need for homes for normal working people:

...One of the most distinctive features of recent local building operations is the wonderful popularity suddenly achieved by the style of house known as the Dutch Colonial whose principal characteristic is a high peaked roof ... the style has been adapted



Fig. 22. Three High-Peaked Colonial Revival houses in a row in the 3000 block of Martin Luther King, Jr. Way. Daniella Thompson, 2005.

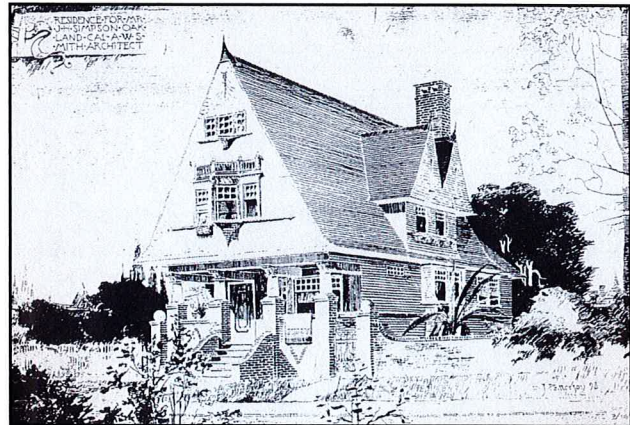


Fig. 23. A High-Peaked Colonial Revival residence in Oakland designed by A.W. Smith for J.H. Simpson in late 1897. Perspective drawing by D. J. Patterson. From California Architect and Building News.

and enlarged upon by Architect A. W. Smith who since the 15th of January of last year [1898] has put up no less than twenty-seven houses, all on this peculiar line of architecture...

Mr. Smith ascribes the popularity to the growth of the artistic in the building public, which has caused a departure from the strict rules of architecture and given rise to the development of the picturesque style.

Simpson had a house-building shop and mill in Oakland on Brockhurst Street and owned surrounding land on 32nd and 33rd Streets, as well as on Brockhurst. Today this area — the Hoover-Foster neighborhood — still displays (in spite of every negative 20th Century urban environmental impact) picturesque examples of the Colonial Revival house mixed together with remarkable High-Peaked Colonial Revival houses, most likely all designed by Smith. And, it is most likely that two years later Smith also designed the Wurts-Lenfest House.



Fig. 24. An example of a High-Peaked Colonial Revival built by the Berkeley Homebuilding Association in 1906–07 at 3015 Hillegass Avenue.
Anthony Bruce, 2020

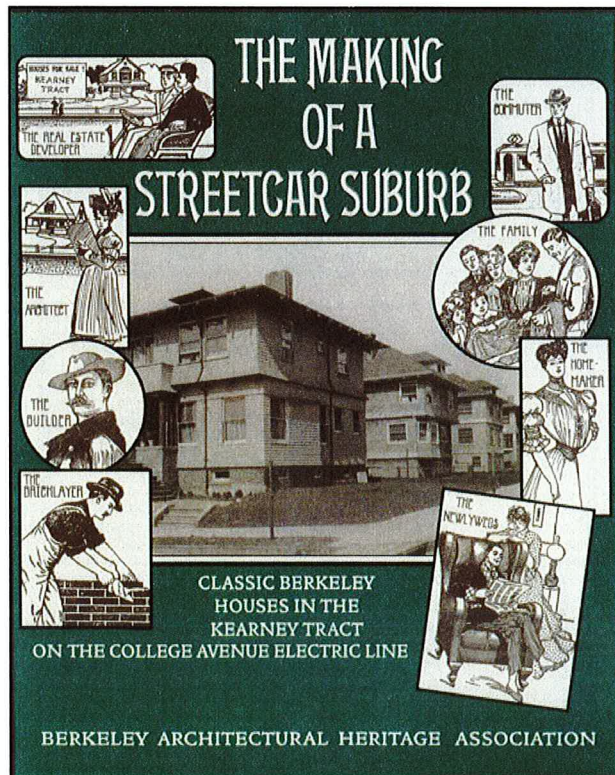


Fig. 25. The cover of the BAHA tour booklet, showing a row of Colonial Revival houses in Berkeley.

A. W. Smith could almost be called a native of the East Bay, having attended Oakland High School and, then, living his later years in Berkeley. His family came from Louisiana to Oakland when he was a boy so that his father could work at the transcontinental railroad terminus. Smith listed himself in Oakland's 1888 voter registration as "carpenter," learning his design skills as a contractor. By 1892 Smith was listed in the newspaper contract notices as an "architect." He was granted a California State Architect Certificate in 1901.

Smith's contribution as a local self-made architect in the East Bay has been recognized as a remarkable feat. He designed hundreds of buildings (400 listed in the Oakland permit ledger, the BAHA office lists some 150 buildings known in Berkeley) in all styles from Queen Anne to the Colonial Revival and High-Peaked Colonial Revival before the turn-of-the-century and, then, in the early years of the 20th Century he adjusted his vision to Craftsman, Shingle, Prairie, and

Mission designs, as well as churches, lodges, and commercial buildings. When Smith moved to Berkeley, he lived on Telegraph in a brown-shingle house that he designed in 1908. It is said that Smith may have been the most prolific architect in the East Bay, adjusting, with agility, from one style to the next. As the Alameda Architectural Preservation Society wrote of Smith’s architectural work:

[his buildings] ... did—and do—more to shape the area’s character than the select gems and jewels of the “name” architects. Smith’s buildings — whimsical, severe, naturalistic, honest, unpretentious, charming, exotic, elegant, inventive, eccentric, mannerist, substantial — give a distinctive flavor to our East Bay cities.



Fig. 26. Snyder House, 2820 San Pablo Ave., designed by A. W. Smith in 1901. Daniella Thompson, 2005.

Streetcar Suburb Houses in the Kearney Tract

Now, to focus on the sudden real estate activity in the Kearney Tract after 1900, and more specifically on Piedmont Avenue (formerly Mark Street) and Lot 6 of Block 1. Records show that in 1878 the Julius F. Foss family purchased the William H. Chapman house, which included all of Lot 6. Then, in 1895, Eli Gardner acquired Lot 6, only to turn around and sell it to a Dr. C. P. Devore in 1899, who then, in September of that year, sold all of Lot 6 to Dr. Henry Newton Yates of Crockett. Then, in August 1900, Dr. Yates sold the southern portion of Lot 6 to Rebecca Wurts (he deeded the northern part of Lot 6 to his father, who resided in the former Chapman House, 2521 Piedmont Avenue). On August 1, 1900, the *San Francisco Call* reported Rebecca Wurts’ purchase among its listing of real estate transactions:

Henry N. and Beatrice Yates to Rebecca Wurts [wife of Myron L.], lot on E line of Mark Street [soon to be Piedmont], 300 S of Dwight Way, S 60 by E. 135, being the S half of lot 6, block 1, map of property of John Kearney, Berkeley: \$10.

Several months later, Rebecca and her husband Myron Wurts also acquired the full Lot 5 of the Kearney Tract facing east onto Warring Street which was connected to Lot 6 on the back-side. Lot 5 included a small house (built c. 1897–98) at 2520 Warring Street, the north portion of Lot 5. The “small house,” altered and enlarged, is still there.

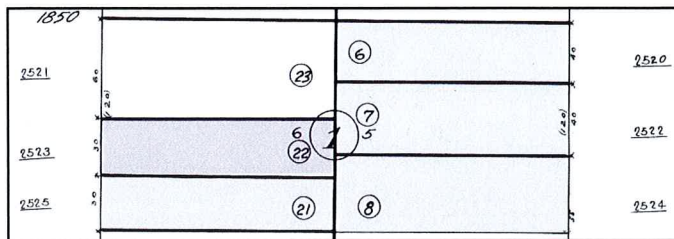


Fig. 27. Map of the five lots owned by Myron and Rebecca Wurts in Block 1.

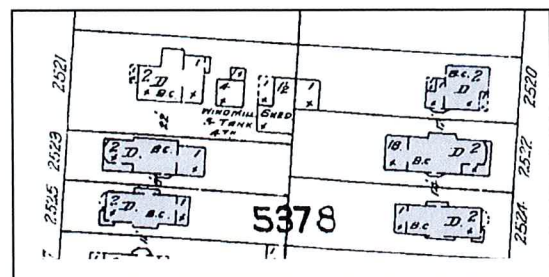


Fig. 28. The five houses built or remodeled by Myron and Rebecca Wurts in Block 1.

Rebecca Snyder Wurts and Myron LeFevre Wurts, Developers

So, why would Rebecca and Myron Wurts snap up property in the Kearney Tract in 1900? The answer is that they were not beginners in real estate investments. And, as already presented here, the East Bay was becoming seamless with the advance of the streetcar, or at least, because of talk that it was coming. One little community was connecting to another, streets were connecting to each other, and the un-built-upon parcels were selling fast. To quote, again, from “The Making of a Streetcar Suburb”:

The newspapers of the day were full of reports and rumors that soon a streetcar line would be established on College Avenue to connect the area with “Downtown” Berkeley, Oakland, and San Francisco. By 1904, the *Berkeley Reporter* described how Berkeleyans were “anxiously awaiting completion of a new car line to be constructed on College Avenue. It will be the impetus to the promotion of building.” But homeowners and real estate speculators did not wait for the arrival of the new car line. As soon as there was a hint of truth to the rumors, real estate activity began in the vicinity of College Avenue.

Rebecca Snyder Wurts (1871–1957) was an Oakland native. She was the daughter of Andrew Jackson Snyder (1823–1896) who is known to be the first substantial developer of early Oakland in the 1860s, when its commercial center was being built on lower Broadway. His obituary described him as, “the first real estate dealer of Oakland and one of the city’s wealthy men.”

Myron LeFevre Wurts (c.1859–1925) was born in New York State and is known to have arrived in San Francisco by 1887. On his way to California he had tried his luck in silver ore mining in Arizona. He and Rebecca married in 1888 when he is recorded to have set up a real estate business.

In 1889, Myron Wurts is known to have purchased nineteen acres of property in West Berkeley (for \$24,000), along San Pablo Avenue, close to property his father-in-law already owned in West Berkeley. And, then in 1892, with a new partner and a Boston investor, he purchased a large section of undeveloped land behind Lake Merritt where he is reported to have made large capital expenditures preparing the land for a subdivision called “Boulevard Heights,” soon to be serviced by an electric line. Sometime between 1895 and 1896, Wurts established his own real estate office in Berkeley, located on Shattuck Avenue.

Rebecca and Myron Wurts and the Kearney Tract

With development in their blood, it seems natural and opportune that in 1900 Rebecca and Myron Wurts would be interested in and, then, purchase two large villa-sized lots in the Kearney Tract—Lot 5 and Lot 6 in Block 1 (Fig. 27). As the streetcar line was anticipated, and Mark Street was being connected to Piedmont Avenue (i.e. connected to the U.C. community), and as development was the Wurtses’ business, it is quite natural that as soon as they acquired the two large lots, they immediately subdivided them so as to become five new parcels for the building of four new houses.



Fig. 29. The other High-Peaked Colonial Revival house that the Wurts’ built on Lot 5, directly behind the Wurts-Lenfest House. Anthony Bruce, 2021.

Rebecca and Myron Wurts and architect A. W. Smith

In 1901, Rebecca and Myron Wurts made additions to the small house on Warring and built four new handsome Colonial Revival houses: 2523 Piedmont (High-Peaked Colonial Revival to become the Lenfest home), 2525 Piedmont (hip-roofed Colonial Revival, demolished in 1957 for an apartment building), 2522 Warring (High-Peaked Colonial Revival mirroring the Lenfest House, with design variations, Fig. 29), and 2520 Warring (hip-roofed Colonial Revival, altered in late 1930s). By 1902 the five houses were assessed to Rebecca Wurts.

Understanding that the building of homes in the East Bay was “hot” at the turn-of-the-century, who would Rebecca and Myron Wurts have asked to design the four houses on their new parcels in Kearney Tract? Given that the Wurts-Lenfest house is such a masterfully designed High-Peaked Colonial Revival house, it seems logical that they might have asked Smith. Certainly, Rebecca and Myron Wurts and A. W. Smith were fellow participants in the East Bay’s new and dynamic development activity.

In asking such a question, it is worth noting that even in BAHA’s 2002 tour booklet “The Making of a Streetcar Suburb” which listed every address in the Kearney Tract, along with a known date of construction, architect, and or builder for each address, the builder or architect was still a mystery for the five houses in Lots 5 and 6. In this case, a quote from Betty Marvin, of the Oakland Cultural Heritage Survey, applies: “Vast numbers of developers used their own contractors and did not record building contracts in those days.”

Even though no contract or completion notices have been found that identify Smith with the Wurts houses in the Kearney Tract, there is a tangible link between Rebecca and Myron Wurts and A. W. Smith. Rebecca’s brother Lewis C. Snyder’s architect of choice at that time was none other than A. W. Smith. The Wurts’ would therefore have had reason to ask Smith to design their four houses in the Kearney Tract. At that very same time, the A.W. Smith was designing a High-Peaked Colonial Revival house for Lewis Snyder’s own residence at 2820 San Pablo Avenue (Fig. 26). The contract and completion notices for that house, published in *Edwards Transcript of Records*, May and August 1901, confirms the architect was A.W. Smith.



Fig. 30. Lela Lenfest, from the 1905 Blue and Gold.

Residency in 2325 Piedmont

Upon the completion of 2523 Piedmont, as if according to plan, the handsome speculative High-Peaked Colonial Revival house sold to a mother who sought a residence while her daughter attended the University. Belle Lenfest and her daughter Lela moved into the new house in 1902. They came from Mendocino County where Mr. Lenfest, who had died in 1896, had been a foreman in a sawmill. Belle and Lela stayed in the house on Piedmont until Belle’s death in 1914.

Lela had graduated from U.C. and taught high school classes. Soon after, Lela inherited the house from her mother’s estate. She sold it and moved elsewhere for several years. Then, as if she missed the Kearney Tract, its neighborhood vitality, its handsome streets as a “streetcar suburb,” and being adjacent to the University, Lela bought the large, old 1877 Chapman House at 2521 Piedmont, on the northern larger half of lot 6, a house big enough for her to rent rooms until 1951 when she passed away (fig. 15). Her nephew sold the house to Values, Inc. to be replaced by an apartment building in 1956.

The Wurts-Lenfest House into the Twenty-First Century

Being so close to U.C., the 2500 block of Piedmont has often housed campus-related residents like Belle Lenfest who originally came to Berkeley because of her daughter's attendance at the University. Because the 2500 block was close to the campus and because there were still undivided villa lots remaining in the twentieth century, the street was a natural site for large-scale apartment building development. It began in 1922 when the Le Conte estate (1877), on two villa lots, was divided and a very fine building designed by Walter Ratcliff was built at 2515 Piedmont. Then, an even larger apartment house was built in 1930 across the street on one of the villa lots that had been part of the Goodall estate (1877). By 1955, two more apartments had been added to the streetscape on yet-unsubdivided villa lots. Many of the homes were altered to accommodate the in-and-out living of student life. The Wurts-Lenfest House stands sound and handsome, regardless of the changing times, the construction in the mid-1950s of small apartment houses on either side, and the impacts of transient student living.

David Mundstock (1948–2020) who owned the Wurts-Lenfest House from 1978 to 2020 (a co-owner for part of the time) deserves credit for the fine condition of the house today. David, who was a graduate of both U.C. and U.C. Berkeley's law school, was admired all over Berkeley as a "progressive political activist," serving as an aide to Councilwoman Loni Hancock, later Berkeley's Mayor. David first lived in the Wurts-Lenfest House as a student himself and, then, as the owner, he rented to students. He cared very much about the character and preservation of the neighborhood and was a critical advocate of researching the history of the Merton J. Congdon House, built in 1894 (City of Berkeley Structure of Merit, No. 208), nearby at 2527 Piedmont. It is thanks in large part to David that the Wurts-Lenfest House stands today as such a fine surviving example of the High-Peaked Colonial Revival.

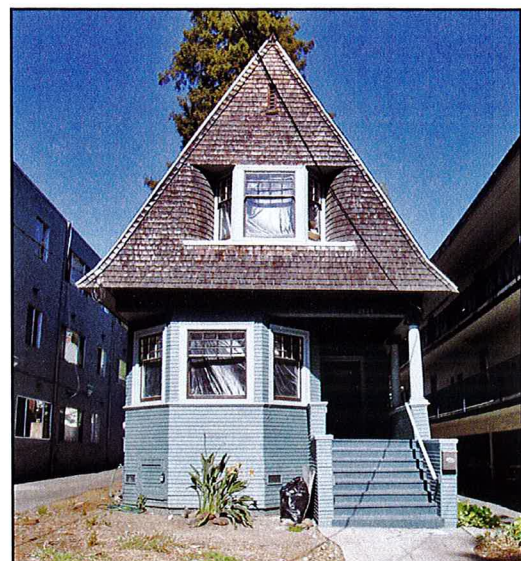
Ironically and sadly, after the caring stewardship of the house by David Mundstock, the new owner has destroyed all the original interior features that meant so much to David and to anyone who had visited the house and lived in it over the years.

All of David's papers were donated to the Berkeley Historical Society after his death. The Historical Society recently announced that it is planning an exhibit based upon the materials in his collection.



Fig. 31. The Wurts-Lenfest House in 1939. Note added flower shelf in the upstairs bay, since removed. Donogh File, Berkeley Architectural Heritage Association

Fig. 32. The Wurts-Lenfest House. Daniella Thompson, 2021.



16. Significance (City of Berkeley Landmarks criteria 1-b, 1-c, and 2)

The Wurts-Lenfest House is significant as a text-book example of the High-Peaked Colonial Revival style, a house type that was created in the East Bay and that flourished for only a short period of time. The Wurts-Lenfest House is also significant as an example of a house type popular with developers of speculative houses at the turn-of-the-20th-century during the development of East Bay streetcar suburbs. Additionally, the Wurts-Lenfest House is significant as it is not only a fine architectural example, but it is also a pristine, intact example.

Today the Wurts-Lenfest House stands out almost like a museum artifact, not only because it is one of the earliest subdivision houses built in the Elmwood District along its streetcar line, but also because the original residential setting of the northern half of this block of Piedmont Avenue has almost vanished. Yet, its presence maintains the historic character of the Kearney Tract amid its newer surroundings. Nearly isolated by a since-emerged apartment house row, its exuberant High-Peaked style, nevertheless, remains proud as a dramatic reflection of an era that burst forth with rapid development in every direction, abundant skills of craftsmanship, and the dynamics of educational growth. Set on a slight rise above the sidewalk, and recently cleared of all garden enhancements, the Wurts-Lenfest House is now completely visible as a nearly perfect prototype of its time — in design, proportions, balance, materials, and craftsmanship.

That the Wurts-Lenfest House stands today as finely as it does is also of particular consequence because, whether in Alameda, Oakland, or Berkeley, it is not often that an intact High-Peaked Colonial Revival can be found. More often than not, most of the remaining High-Peaked Colonial Revival houses have been diminished in architectural integrity, suffering from either the ravages of time and/or the often difficult challenge to maintain the original details and integrity of design and materials (note the tragic fire this summer that took two of A.W. Smith’s 1899 High-Peaked Colonial Revival houses on 9th Street in Oakland).

It is exciting, however, that interest in the High-Peaked Colonial Revival house has begun to blossom — thanks in part to George Gunn in Alameda, Betty Marvin in Oakland, and Daniella Thompson in Berkeley. Just recently there have been several shared discoveries posted on Facebook. Still, no East Bay town has yet landmarked a High-Peaked Colonial Revival house, its own to claim. Let’s make Berkeley the lead in the recognition of our collective regional charm and style, citing one of the finest in design, balance, detail, and representation: the Wurts-Lenfest House at 2523 Piedmont Avenue.

17. Historic Value— **City:** Yes **Neighborhood:** Yes

Architectural Value— **City:** Yes **Neighborhood:** Yes

18. Is the property endangered? Yes

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To date, a thorough study of the High-Peaked Colonial Revival House has not been undertaken. Such a study does seem timely as many of these amazing houses have already disappeared or are in disrepair.

20. Recorder: Lesley Emmington, Anthony Bruce for the Claremont Elmwood Neighborhood Association (CENA), P.O. Box 5108, Berkeley, California 94705

Date: September 2021

MILLS ACT
EXTERIOR REHABILITATION SCHEDULE

Feature	Character Defining?	Condition	Recommended Treatment	Schedule	Budgets (from bids)
Wood shingle siding - stained - at upper story front and rear gables and dormers both sides	Yes	Poor	Replace and restain wood shingles to match existing, including stepped shingle roof edge trim at gables	Replace - 2023; Maintain - 2024-2033	\$95,635
Wood windows with multi-lite sashes (part or whole) - at front and sides	Yes	Poor	Replace 12 identified irreparable windows with new to match existing	Replace - 2023; Maintain - 2024-2033	\$20,987
Composition shingle roofs, roof drainage and flashing assemblies	Yes	Poor	Replace comp. shingle roofing and metal flashing with new similar to existing; install new roof drainage assemblies (gutters and downspouts)	Replace - 2023; Maintain - 2024-2033	\$53,350
* Door Detail					
				Total Estimated 10yr. Budget	\$169,972

GENERAL NOTES:

- A. This proposed 10 year work plan is focused on the rehabilitation of primary exterior features and materials.
- B. The proposed work plan is commensurate with the estimated Mills Act tax reduction per the accompanying Spreadsheet.
- C. This focused work plan represents only a portion of current and future rehabilitation and maintenance work.

** Restore original wreath ornament on front door per LPC recommendation*

FINANCIAL ANALYSIS FOR MILLS ACT CONTRACT												
REVENUES		2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
1) Monthly Rental Income		\$8,500										
2) Annual Rental Income	3%	\$102,000	\$105,060	\$108,212	\$111,458	\$114,802	\$118,246	\$121,793	\$125,447	\$129,211	\$133,087	\$137,079
ANNUAL EXPENSES												
3) Insurance	5%	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,912	\$6,090	\$6,272	\$6,461	\$6,654	\$6,854
4) Utilities	5%	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,912	\$6,090	\$6,272	\$6,461	\$6,654	\$6,854
5) Maintenance	5%	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,912	\$6,090	\$6,272	\$6,461	\$6,654	\$6,854
6) Management	5%	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,912	\$6,090	\$6,272	\$6,461	\$6,654	\$6,854
7) Other	5%	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,912	\$6,090	\$6,272	\$6,461	\$6,654	\$6,854
8) Total Expenses	25%	\$25,500	\$26,265	\$27,053	\$27,865	\$28,700	\$29,561	\$30,448	\$31,362	\$32,303	\$33,272	\$34,270
(Sum Line 3-7)												
NET OPERATING INCOME (Line 2 Minus 8)		\$76,500	\$78,795	\$81,159	\$83,594	\$86,101	\$88,684	\$91,345	\$94,085	\$96,908	\$99,815	\$102,810
CAPITALIZATION RATE												
9) Interest Component	4.25%											
10) Historic Property Risk Component (2% for comm. & apts, or 4% for SFD & Condos)	4.00%											
11) Property Tax Component	1.25%											
12) Amortization Component	1.67%											
13) Capitalization Rate	11.17%											
(Sum Line 9-12)												
TAXES												
14) Mills Act Assessment (Net Operating Income/Line 13)		\$684,870	\$705,416	\$726,579	\$748,376	\$770,827	\$793,952	\$817,771	\$842,304	\$867,573	\$893,600	\$920,408
15) Tax Under Mills Act (Line 14 X .0125)		\$8,561	\$8,818	\$9,082	\$9,355	\$9,635	\$9,924	\$10,222	\$10,529	\$10,845	\$11,170	\$11,505
16) Current Tax		\$16,973	\$17,183	\$17,397	\$17,612	\$17,831	\$18,052	\$18,276	\$18,502	\$18,732	\$18,964	\$19,199
17) Tax Savings (Line 16 - Line 15)		\$8,412	\$8,366	\$8,314	\$8,258	\$8,195	\$8,127	\$8,053	\$7,973	\$7,887	\$7,794	\$7,694
THE FOLLOWING TABLE IS TO COMPLETED BY STAFF ONLY												
18) Annual Costs to City (Line 17 X 30%)		Current	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
		\$2,524	\$2,510	\$2,494	\$2,477	\$2,459	\$2,438	\$2,416	\$2,392	\$2,366	\$2,338	\$2,308



L A N D M A R K S
P R E S E R V A T I O N
C O M M I S S I O N
S T A F F R E P O R T

FOR COMMISSION ACTION
AUGUST 4, 2022

2523 Piedmont Avenue

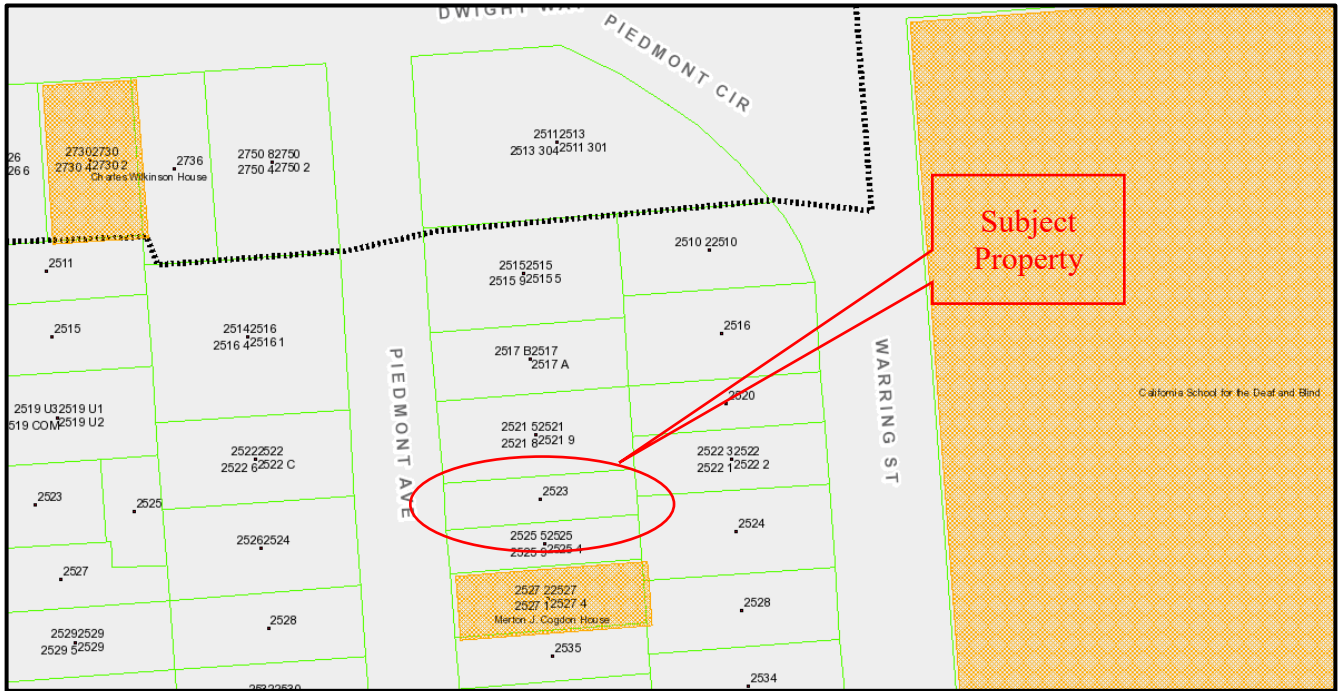
Mills Act Contract Application LMMA2022-0001 for a residential property and City of Berkeley Landmark, The Wurts-Lenfest House.

I. Application Basics

Parties Involved:

- **Property Owner:** Wilson Wong & Christina K. Kwan
2523 Piedmont Avenue
Berkeley, CA
- **Historic Resource Consultant:** Mark Hulbert, Historic Architect
Preservation Architecture
446 17th Street, #302
Oakland, CA 94612
- **Recommendation:** Approve the proposed rehabilitation schedule, encourage the inclusion of the missing door detail; recommend favorable action to City Council.

Figure 1: Vicinity Map









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

Figure 2: Subject Building, Existing Site Conditions (Google, 2021)



II. Background

The subject main building at 2523 Piedmont Avenue was constructed in 1896, according to City records. It is an example of the High-Peaked Colonial Revival style, also known as the Eastern Shingle Cottage.

In 2021, more than 70 Berkeley residents prepared a petition to grant designation status to this property. On February 3, 2022, the Landmarks Preservation Commission (LPC) designated this site as a Structure of Merit (SOM), owing to the main building's integrity of design and craftsmanship; see Notice of Decision, Attachment 3 of this report.

On May 31, 2022, the applicant and owner submitted a Mills Act Contract Application for this City SOM property.

III. Issues and Analysis

The historic resource consultant's *Historic Architectural Summary* for this Mills Act Application is provided as Attachment 1. This document includes the consultant's list of *Character-Defining Areas, Spaces and Features* (on page 2), *the Mills Act Work Program* for maintenance and repairs (page 4 - 5), and the City's financial analysis spreadsheet for estimating the potential Mills Act tax savings for this request. Therein, the proposed *Exterior Rehabilitation Schedule* outlines building exterior and site improvements for the subject property over a projected 10-year period. Improvements to the exterior of the City Landmark building include, but are not limited to: replacement of the existing roof and drainage assembly as well as in-kind replacement of twelve historic windows; and replacing and re-staining wood shingle cladding.

During the designation hearings for the Wurts-Lenfest, staff and neighbors noted that an original ornamental wreath detail was removed during repair work in late 2021, very likely in or around December 2021. Because the alteration occurred subsequent to the initiation of the designation consideration on October 4, 2022, the removal of this feature was prohibited without prior approval from LPC. To correct this unpermitted work, the applicant must be strongly encouraged to correct and restore the missing feature. Therefore, staff suggests adding the restoration of the decorative wreath to the rehabilitation schedule for this Mills Act consideration. An annotated rehabilitation schedule reflects this recommendation; see Attachment 2.

All improvements included in the Rehabilitation Schedule relate to the historic, character defining features of the building and site. The schedule appears to constitute ordinary maintenance and repair of the property and, therefore, would be permitted ministerially under the Landmarks Preservation Ordinance (Berkeley Municipal Code Section 3.24.260). However, any future work that would go beyond the scope of maintenance and repair would be subject to prior approval by the Commission.

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

IV. Mills Act Contract Proposal

The intent of the Mills Act is to provide property tax relief so that the property owners entering into Mills Act Contracts with the City will spend the property-tax money that is saved through the Contract on preserving and/or restoring their property. The applicant's proposed 10-year plan of improvements is summarized in Table 1 below along with staff's recommended addition for restoration of the missing door detail.

Table 1. Summary of Rehabilitation Schedule & Recommended Treatments

Feature	Treatment (as recommended by historic resource consultant except where noted)	Estimated Year of completion
Wood Shingle	Replace and re-stain shingles	2024
Wood Windows	Replace twelve in-kind	
Composition shingle roof, drainage & flashing	Replace shingle roofing and metal flashing, and install new drainage assembly.	
Wood molding ornamentation on front door	Restore per City staff recommendation.	Undetermined

The working financial analysis spreadsheet provided by the applicant at time of submittal, estimates that the cost of the owner's proposed improvements over a 10-year period is approximately \$170,00 and the estimated total tax savings over the 10-year period is approximately \$90,000, starting at an annual savings of \$8,400 and then decreasing to approximately \$7,600 by the tenth year of the program.

V. Recommendation

Staff has determined that all work proposed in the Mills Act Contract work plan provides for the property's "use, maintenance and restoration as to retain its characteristics as property of historical significance", and advises the Commission to recommend that City Council approve the Mills Act Contract request for the subject property, subject to the inclusion of the door detail restoration.

Attachments:

1. Mills Act Application for 2523 Piedmont Avenue – Historic Architectural Summary, received May 16, 2019
2. Mills Act Application for 2523 Piedmont Avenue – Exterior Rehabilitation Schedule, received June 25, 2019
3. Notice of Decision – Landmark designation for 2523 Piedmont Avenue (2022)

LANDMARKS PRESERVATION COMMISSION
August 4, 2022

2523 PIEDMONT AVENUE
Page 6 of 6

Prepared by: Fatema Crane, Senior Planner/LPC Secretary; fcrane@cityofberkeley.info (510) 981-7410