To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Carol Johnson, Acting Director, Planning and Development
Subject: LPC Appeal: 2508 Ridge Road (Bennington Apartments)

RECOMMENDATION
Conduct a public hearing and upon conclusion adopt a Resolution affirming the decision of the Landmarks Preservation Commission (LPC) to designate the Bennington Apartments, located at 2508 Ridge Road (LMIN2015-0004) a City of Berkeley Landmark (Attachment 1).

FISCAL IMPACTS OF RECOMMENDATION
None.

CURRENT SITUATION AND ITS EFFECTS
On December 3, 2015 at the request of community members and absent a Landmark application, the Landmarks Preservation Commission (LPC) initiated consideration for 2508 Ridge Road (Bennington Apartments) as a City of Berkeley Landmark. Following the initiation for consideration by LPC, an information letter was sent to the property owner, Rue-Ell Enterprises Inc., informing them of the initiation and anticipated public hearing at the February 4, 2016 LPC meeting. On January 14, 2016 Daniella Thompson submitted a Landmark application designation proposal. On February 4, 2016 the LPC opened the public hearing, considered the application, and voted to approve Landmark designation for 2508 Ridge Road (Bennington Apartments). On March 15, 2016 an attorney for the property owner submitted a letter appealing the LPC’s decision (Attachment 2). At the March 15, 2016 Council meeting, the Council set the matter for public hearing to be held on the next available date.

BACKGROUND
At its meeting of February 4, 2016, the Landmarks Preservation Commission (LPC) opened the public hearing and heard public comment. The LPC then considered the Landmark application and supporting information. The staff report (Attachment 3) noted the Landmark designation consideration was initiated by the Commission, consistent with the LPO Sections 3.24.110.A.1.a and b, and 3.24.110.A.4. The Findings included as an attachment to the Notice of Decision (NOD) (Attachment 4) state that the Bennington Apartments property is worth preserving because of its architectural merit as the oldest surviving structure in Daley’s Scenic Park (consistent with Section
3.24.110.A.1.a.), highly unusual hybrid-style which is unique (consistent with Section 3.24.110A.1.b.), historic value as the only extant relic of 19th century Euclid Avenue (consistent with Section 3.24.11A.4.) as well as its integrity, design, materials, feeling, and association.

Following the discussion, the Commission designated the property located at 2508 Ridge Road "Bennington Apartments" as a City of Berkeley Landmark (8-0-0-1; Motion: Schwartz; Second: Olson; Yes: Beil, Brown, Hall, Shenoy, Suczynski Smith, Linvill; No: None; Abstained: None; Absent: Belser). The NOD (Attachment 4) calls out the distinguishing exterior features of the Bennington Apartments which are to be preserved.

ENVIRONMENTAL SUSTAINABILITY
Landmark designation provides opportunities for the rehabilitation of historic resources within the City. Rehabilitation achieves construction and demolition waste diversion; promotes clean transportation options such as cycling, walking, and public transit; and does not negatively affect natural habitat.

RATIONALE FOR RECOMMENDATION
This section is used to evaluate the appeal issues and then provide feedback on the validity of the appeal overall. The issues raised in the appeal, and City staff responses follow. For the sake of brevity, the appeal issues are not re-stated in their entirety; please refer to the appeal letter (Attachment 2) for full text.

Issue 1: Designation Decision inconsistent with Findings

The appellants contend that the decision affixes the “Landmark” designation, yet the Findings designate 2508 Ridge Road (Bennington Apartments) both a “Structure of Merit” and “Landmark.”

Response 1: The Notice of Decision (NOD) designated the structure located at 2508 Ridge Road as a City of Berkeley Landmark (see Attachment 4); however, on page 2 of the Findings attached to the NOD state the above property is designated a “City of Berkeley Landmark, Structure of Merit.” The words “Structure of Merit” were mistakenly included and represent a typographic error. The LPC designated the structure located at 2508 Ridge Road as a City of Berkeley Landmark, the higher level of designation, not as a Structure of Merit. The decision by the LPC should be upheld.

Issue 2: Unclear which of the three structures on the property are landmarked under this designation

The appellants contend that it cannot be determined which structures are encumbered by the Commission's designation decision.
Response 2: There are three structures at 2508 Ridge Road, the subject property: the Bennington Apartments building, a separate four-unit building or “fourplex”, and a detached garage. The Commission’s decision, as stated in the NOD, was to designate the Bennington Apartments as a City of Berkeley Landmark and to exclude the fourplex and the garage. The NOD includes a list of the distinguishing features of the Bennington Apartments to be preserved, but does not include features to be preserved for the garage or fourplex. However, any exterior changes to the site of the landmark structure, including non-designated structures such as the fourplex and garage, are subject to review by the Landmarks Commission pursuant to Section 3.24.100.B. of the LPO.

Issue 3: Adequate Notice of Public Hearing not provided

The appellants contend that they were denied due process of law because they were not given adequate notice of the public hearing, depriving them of a meaningful opportunity to be heard and present evidence.

Response 3: Sections 3.24.130 and 140 of the LPO require the Commission to hold a public hearing on the designation proposal within seventy days of the filing of the application or resolution, and to post and mail a hearing notice to the subject property's owner ten days prior to the hearing.

Following the initiation for consideration by the LPC at its December 3, 2015 meeting, an information letter (Attachment 5) was sent to the owner of the property on December 23, 2015, informing them of the initiation for consideration of designation and anticipated public hearing at the February 4, 2016 LPC meeting. This letter is not a requirement of the LPO but was provided as part of the City’s standard practice. On January 25, 2016, notices of the February 4, 2016 public hearing for the designation proposal were posted in the immediate vicinity of the subject property and mailed to the property owner; the Notice is included in the Administrative Record as Attachment 9. The LPC followed all noticing requirements for the public hearing and designation consideration.

Issue 4: No Record of Initiation Process by the LPC

The appellants contend that the Notice of Decision (NOD) states the designation was “Initiated By: Landmarks Preservation Commission” but there is no record of any initiation process and the Commission has advised the appellant the initiation was by a “private citizen”.

Response 4: On December 3, 2015 at the request of community members and absent a Landmark application, the LPC initiated consideration for 2508 Ridge Road (Bennington Apartments) as a City of Berkeley Landmark. This
initiation is consistent with Section 3.24.120 of the LPO which states “Initiation of designation shall be by the commission, or by a resolution of intention of the City Council, or by the Planning Commission, or by the Civic Arts Commission, or by the verified application of the owners of the property to be designated or their authorized agents, or by the verified application of at least fifty residents of the City”. The record of the Commission’s initiation process appears in the December 3, 2015 LPC Meeting Minutes (Attachment 6); this is the standard practice for recording Commission actions.

**Issue 5:** Commission Bias in Evaluation of Landmark Application

The appellants contend that the agency evaluating the Application cannot objectively evaluate an Application that it initiated. The appellants contend this is a denial of due process and the right to a fair hearing.

**Response 5:** The powers and duties of the Commission are codified in Section 3.24.070.B. of the LPO which states that the Commission may “carry out, assist and collaborate in studies and programs designed to identify and evaluate structures, sites and areas worthy of preservation.” Section 3.24.070.C. of the LPO states the Commission may “Consult with and consider the ideas and recommendations of civic groups, public agencies, and citizens interested in historic preservation.” It is within the Commission’s powers and duties both to identify worthy preservation sites and to take action to preserve these sites when they meet the criteria of the LPO.

**Issue 6:** Finding 1: Inconsistent with Section 3.24.110.A.1.a of the LPO

The appellants contend that there is not sufficient evidence to demonstrate any “architectural significance” of the property, and that the Bennington Apartments have undergone substantial changes over the years.

**Response 6:** The staff report provided to the Commissioners noted that the Frank M. Wilson house and the William Wallace Clark house were among the first houses constructed in the development of Daley’s Scenic Park tract. Moved to their present location and incorporated into the Bennington Apartments building in 1915, the Commission determined that the integrity of those houses exists to communicate their significance under this criterion for architectural merit.

**Issue 7:** Finding 2: Inconsistent with Section 3.24.110.A.1.b of the LPO

The appellants contend that the notable architectural features and details called out by the Commission do not satisfy the LPO. The
designer or architect are “unknown”, and there is no claim the properties were constructed (or moved) by a “master builder”.

Response 7: The staff report provided to the Commissioners noted that the building combines a rare 19th Century street (north) facade with Arts & Crafts elements along its interior side (west) elevation, including notable architectural details such as the circular stucco wall, glazed doors, arched windows, robust tapered columns, and flared brick chimneys. The Commission determined this unique design is an outstanding architectural example, pursuant to Section 3.24.110.A.1.b of the LPO.

Issue 8: Finding 3: Inconsistent with Section 3.24.110.A.4 of the LPO

The appellants contend that there are no facts cited to support the conclusion that the property “possesses historic value” and is the only extant relic of the 19th Century Euclid Avenue.

Response 8: The staff report provided to the Commissioners cited multiple facts in support of the conclusion that the property possesses historic value and is the only extant relic of 19th-century Euclid Avenue. The first owner of one of the Bennington Apartments’ component houses was Frank M. Wilson, proprietor and chief promoter of the Daley’s Scenic Park tract, and a civic business leader, and patron of charities, the arts, and the University of California. The Commission determined the Bennington Apartments building individually embodies the history of Wilson’s associations with the Daley’s Scenic Park tract development patterns, and retains integrity of location, design, materials, feeling, and association.

The above noted responses, along with the LPC designation of the Bennington Apartments provide sufficient evidence to deny the appeal and uphold the designation.

ALTERNATIVE ACTIONS CONSIDERED
Pursuant to BMC Section 3.24.300.B, the Council may reverse or affirm wholly or partly, or modify any decision, determination or requirement of the Commission, and may make decisions or determinations such as the facts warrant. Pursuant to BMC Section 3.24.300.C, the Council must decide the appeal within thirty (30) days from the date that the public hearing on the appeal is opened (not including Council recess). If the Council is unable to act on such appeal within such time, the decision of the Commission shall be automatically affirmed and the appeal shall be deemed denied.

CONTACT PERSON
Carol Johnson, Acting Director of Planning and Development, (510) 981-7401
Fatema Crane, LPC Secretary (510) 981-7413
Attachments:
1. Resolution
2. Property Owner’s Letter of Appeal, received March 15, 2016
3. LPC Staff Report without Attachments, dated February 4, 2016
4. LPC Designation Notice of Decision, issued February 29, 2016
5. Information Letter to Owner, dated December 23, 2015
6. LPC December 3, 2015 Meeting Minutes
7. Index
8. Administrative Record
9. Public Hearing Notice
RESOLUTION NO. ##,###-N.S

UPHOLDING THE DECISION OF THE LANDMARKS PRESERVATION COMMISSION TO APPROVE LANDMARK APPLICATION LMIN2015-0004 TO DESIGNATE THE BENNINGTON APARTMENTS, LOCATED AT 2508 RIDGE ROAD, AS A CITY OF BERKELEY LANDMARK

WHEREAS, on December 3, 2015, the Landmarks Preservation Commission initiated consideration of Landmark designation for the property; and

WHEREAS, a Landmark Application was submitted prior to February 4, 2016; and

WHEREAS, on February 4, 2016, the Landmarks Preservation Commission opened a public hearing and designated the property as a City of Berkeley Landmark; and

WHEREAS, on February 29, 2016, the City issued a Notice of Decision regarding the Commission decision; and

WHEREAS, on March 15, 2016, an appeal letter was submitted and an appeal of the Commission decision filed with the City Clerk; and

WHEREAS, on March 15, 2016, the City Council set the item for the next available public hearing date; and

WHEREAS, on October 25, 2016, the Council considered the record of the proceedings before the Commission, the staff report, and correspondence presented to the Council.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby upholds the decision of the Landmarks Preservation Commission to approve designation of the Bennington Apartments, located at 2508 Ridge Road, as a City of Berkeley Landmark (LMIN2015-0004), and dismisses the appeal.
APPEAL FROM LANDMARKS PRESERVATION COMMISSION

DECISION

In Re: 2508 Ridge Road
(Bennington Apartments)  

} No. LMIN 2015-0004

} NOTICE OF APPEAL OF LANDMARK DESIGNATION

On February 29, 2016, the Landmarks Preservation Commission issued its Notice of Decision designating 2508 Ridge Road a Landmark. Rue-Ell Enterprises, Inc., the owner of the property, appeals the decision.

This appeal is made in accordance with Chapter 3.24, Section 3.24.300 of the Berkeley Municipal Code. The grounds for the appeal are as follows:

The findings of the Landmarks Commission are not supported by substantial evidence and the decision is arbitrary and capricious.

The designation of 2508 Ridge Road (Bennington Apartments), as a Landmark is internally inconsistent with the finding and vague and ambiguous because the decision affixes the "Landmark" designation, yet the Findings designate 2508 Ridge (Bennington Apartments) both a "Structure of Merit" and "Landmark."¹

The decision is ambiguous. The Findings discuss Bennington Apartments. But

¹Findings, Page 2
building, which is two houses that were combined, the “property” has a three car
garage (circa 1928) and “accessory building” a four unit apartment building
constructed in 1937. There is no substantial discussion of either structure. And there is
no claim either falls within the ambit of the Landmarks Ordinance to justify any
designation. But it cannot be determined if the Commission’s designation encumbers
these structures as well.

Rue-Ell was denied due process of law because it was not given adequate notice
of the hearing, depriving it of a meaningful opportunity to be heard including the
opportunity to present evidence.

The Notice of Decision states the designation was “Initiated By: Landmarks
Preservation Commission.” But the Commission has no records of any initiation
process and has advised appellant the initiation was by a “private citizen.” Apart from
the inconsistency, it appears the agency evaluating the Application is not without bias;
how can it objectively evaluate an Application it initiated? This is a denial of due
process and the right to a fair hearing.

The Commission made three findings to support its decision none of which are
consistent with the statute or supported by the evidence.

• Finding 1:

A property has architectural merit only if it “is the first, last, only or most
significant architectural property of its type in the region.”

The Commission determined the property “is worth preserving for its
architectural merit, constructed from the joining of two houses built circa 1892, it is –
alongside 2531 Ridge Road – the oldest surviving structure in Daley’s Scenic Park.” The
finding goes on to state the property “is one of the three oldest known brown-shingle
buildings in Berkeley…”

There is nothing in the evidence to demonstrate any “architectural significance”

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\(^2\)Application, pp. 22-23.
\(^3\)Section 3.24.110 A.1.a.
of the property. That it is one of two "structures" in a neighborhood does not make it significant in the "region."\(^4\) Daley's Scenic Park is hardly the "region."

Nor does its modified brown-shingle façade suffice to bring it within the ordinance. The findings refer to the property as one of "three oldest brown-shingles in Berkeley." But brown-shingles are ubiquitous in Berkeley. And this brown-shingle has been greatly altered. It was originally two houses, located on Euclid, only to be combined in 1915.

The Bennington Apartments has undergone substantial changes over the years. In 2007, the shingle cladding (a defining feature) was replaced.\(^5\) The railing at the balcony "was replaced with a solid, shingle clad parapet with wooden cap."\(^6\) Façade additions were made, apparently after the buildings were joined after the two separate structures were moved to their current location in 1915 from their original situs on Euclid.\(^7\)

- Finding 2:

The Commission found the property had "a rare 19th-century Shingle Style street façade with Arts & Crafts elements along its west elevation, including notable architectural details such as a circular stucco wall, handsome glazed doors and arched windows, robust tapered columns, and flared brick chimneys." This, the Commission said, was a "highly unusual hybrid style" making it "unique on Northside and very likely in all of Berkeley." But this does not satisfy Section 3.24.110 A.1.b.

Section 3.24.110 A.1.b. requires the properties to be "prototypes" or "outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder." (Emphasis added)

None of the features fall within the ambit of the Ordinance.

\(^4\)A "region" is defined as "an administrative area, division or district." *Webster's Ninth New Collegiate Dictionary.*
\(^5\)Application, p. 8 of 73.
\(^6\)Application, p. 13-14.
\(^7\)Application, p. 5, 8.
And despite the extensive 73-page analysis submitted to the Commission, there is no claim the properties were constructed (or moved) by a “master builder.” The designer or architect are “unknown.”

While a portion of the property may be “reminiscent” of some work by Walter Ratcliff, there is no record of the architect.\(^8\) Recall, these were two houses on Euclid, built in 1892. Walter Ratcliff was 11 when the homes were built. And in 1915, when the houses were moved and combined into an apartment building, he had been the City Architect for two years, having assumed the post in 1912.\(^9\)

Based upon a review of the face of the Commission’s findings this property does not comply with any of the requirements of the ordinance to designate it a Landmark or Structure of Merit.

- Finding 3:

The property “possesses historic value.” “It is, the only extant relic of 19th Century Euclid Avenue.”\(^10\) There are no facts cited to support this conclusion. Actually, the conclusion appears to be inconsistent with finding 1 that speaks of property at 2531 Ridge Road. And it is inconsistent with other parts of the report which report two buildings were moved from Euclid in 1915 (the 20\(^{th}\) Century) and combined to create the apartments.\(^11\) That the building may be the “product” of two houses built in the 19\(^{th}\) Century does not make it a product of that Century any more than a granite counter would make a kitchen a product of prehistoric ages.

And the statute is clear “historic value” under Section 3.24.110.A.4 requires the “structure” to “express the history of Berkeley/Alameda County/California/United States.” Nothing about this apartment building characterizes that. The fact that on periodic occasions it was inhabited by people who may have touched upon the history of the City of Berkeley does not satisfy that requirement.

\(^8\)Application, Page 18  
\(^10\)Finding, page 1.  
\(^11\)Application, p. 3
Simply stated the Commission’s findings are not based upon the facts set forth in
the application nor on the reasonable inferences deducible from those facts.

*There are ambiguities between the findings and the decision.*

1. *What did the Commission decide? Is it a Landmark or Structure of Merit?*

The decision states the property is designated a “Landmark.” But the findings
say both:

“The property located at 2508 Ridge Road “Bennington Apartments” is
*hereby* designated a City of Berkeley Landmark.

Now therefore, the property located at 2508 Ridge Road “Bennington
Apartments” is *hereby* designated a City of Berkeley Landmark, Structure
of Merit.”

2. *The “property” contains three structures: Bennington Apartments, a four unit
building constructed in 1937, “C.V. Harris Apartments” and a garage. Are all
of these structures Landmarked?*

The only structure evaluated was the apartment building made up of two
structures which were combined in 1915.

The report commented about two “accessory structures.” Neither has any
significance attributed to it, be it historical, architectural or any other feature that would
come within the Ordinance’s criteria necessary to achieve any designation.

But the decision appears to address the entire property. Clarification is required.

*Rue-Ell was denied procedural due process.*

1. *There was no meaningful opportunity for Rue-Ell to review the evidence or
present evidence.*

The effect of the Landmark process is to severely restrict an owner’s use and
enjoyment of property. (Section 3.24.350) The Ordinance, recognizing this and
recognizing the need for public input a public hearing is required. (Section 3.24.130)

That right may be abridged. But if it is going to be, the owner is entitled to due process.

This is a fundamental right guaranteed under the Constitutions of the United States of

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12 Findings, p. 2.
America and State of California.

This extensive 73-page application was long in the making. Included were photographs, many taken in 2016 from the property, all without ever seeking the owner's permission.

The application is clearly the result of a lot of work and research. It is not a product of two weeks' or even two months' preparation. Yet it appears the application was made available to staff on January 19. It is this document that formed the basis of the Commission's analysis. It is this document that Rue-Ell was entitled to have a reasonable opportunity to review and evaluate.

Obviously The Berkeley Architectural Heritage Association knew what was going on long before Rue-Ell. On January 20, 2016, it submitted a detailed letter supplementing Ms. Thompson's extensive application. The letter demonstrates fluency with the application that could not have been derived from an overnight analysis.

Rue-Ell did not know of the hearing until January 22. Rue-Ell had less than 8 business days to respond to the application and provide a rebuttal or prepare a defense. This is particularly egregious because the rules require anything to be submitted to the Commission be submitted seven days before the meeting, if it is to be considered by the Commission. So, Rue-Ell, in order to get the full attention of the Commission would have been required to submit any analysis on January 28, giving it only three business days to mount a defense.

This is not due process.

At a minimum, Rue-Ell must be given a reasonable opportunity to respond to the extensive work up provided to the Commission. Rue-Ell did the best it could, submitting a brief note from a local architect with no expertise as an architectural historian. Many architectural historians were contacted. But all declined on such short notice.

A party denied a meaningful opportunity to be heard is denied due process.

13See page 4 of Notice of Decision
2. How may the Commission objectively consider the merits of an application when it is the party who submitted it?

According to the Decision, the application was initiated by the Commission. While the statute may allow such conduct,¹⁴ this process is fundamentally flawed. It is flawed because it puts the Commission in the position of being the decision making body on its own submissions.

The Commission’s file has nothing in it pre-initiation, at least that’s what Rue-Ell’s Dana Ellsworth was told when she inquired.

There is no independent fact finder. There is no independent hearing officer. This process does not ensure fairness. In fact, it’s just the opposite.

How is this fair? Where is the impartial tribunal?

The matter should be evaluated by the entire City Council, affording Rue-Ell the opportunity to present evidence before an independent body.

The statute affords the Council many options on appeal, in addition to affirming the decision. In this case, given the issues raised and serious due process concerns, the only way for Rue-Ell to get a fair hearing, with a complete record, is by setting the matter for further public hearing. The hearing should be set at least 120 days after consideration of this appeal.

There is no prejudice to the City or its citizens. But if the decision is affirmed, Rue-Ell will have been saddled with an ambiguous designation affecting its property, a designation not based on the evidence, the result of a deprivation of due process and fairness and a decision that is laden with ambiguities.

Dated: March 14, 2016

By:

STEVEN B. PISER
Attorney for
RUE-ELL ENTERPRISES

¹⁴3.24.050B
Re: In Re: 2508 Ridge Road (Bennington Apartments)

VERIFICATION

I, Carlo Battino, am an officer of Rue-Ell Enterprises, Inc., appellant in the above-entitled action.

I have read the foregoing Notice of Appeal of Landmark Designation and know the contents thereof; the same is true of my own knowledge, except as to those matters which are therein stated upon information or belief, and as to those matters, I believe it to be true.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15th day of March, 2016 at Berkeley, California.

By:  

Carlo Battino
2508 Ridge Road (Bennington Apartments)

Landmarks Preservation Commission Landmark Initiation (LMIN#2015-0004) to consider designation of the structure located on the above property as a City of Berkeley Landmark.

I. Application Basics

A. **Land Use Designations:**
   - Zoning:  C-N(H) Neighborhood Commercial, Hillside, R-3H Multiple-Family Residential, Hillside
   - General Plan: Neighborhood Commercial

B. **CEQA Determination:** The designation qualifies for a Categorical Exemption under Section 15061 of the Public Resources Code, Guidelines for Implementation of the California Environmental Quality Act (CEQA).

C. ** Parties Involved:**

   **Initiation:** Landmarks Preservation Commission (LPC)
   **Author:** Daniella Thompson
               Berkeley, CA 94709
   **Property Owner:** David C. Ruegg & Robert A. Ellsworth
                      Rue-Ell Enterprises, Inc.
                      2437 Durant Ave
                      Berkeley, CA 94704
II. Background

On December 3, 2015 at the request of community members and absent a Landmark application, the Landmarks Preservation Commission (LPC) initiated consideration for 2508 Ridge Road (Bennington Apartments) as a City of Berkeley Landmark (7-0-2-0; Yes: Linvill, Beil, Belser, Brown, Hall, Olson, Shenoy; Abstained: Schwartz, Suczynski-Smith). The Landmarks Preservation Ordinance (LPO) requires setting of a public hearing within 70 days of initiation. Following the initiation for consideration by LPC, an information letter was sent to the owner, informing them of the initiation and anticipated public hearing at the February 4, 2016 LPC meeting. On January 14, 2016 a landmark application was received.
III. Analysis

The analysis section of this report will summarize information provided in the Landmark Application regarding historic context and property description, and analyze the extent to which the property appears to meet significance criteria set forth in the Landmarks Preservation Ordinance (LPO).

**Historic Context**

In 1889 George Wesley Phelps and John W. Richards filed the Daley's Scenic Park tract map. In 1891 Phelps and Richards sold the entire tract (Figure 2) with the exception of approximately eight specified lots, to banker Frank M. Wilson.

**Figure 2. 1889 Daley's Scenic Park Tract map**

The following information regarding history and early development of Daley's Scenic Park Tract is included in the Landmark application. In 1891 new houses had gone up in seven blocks of Daley's Scenic Park. One of the newly occupied blocks was block 11, where the Bennington Apartments are located. By 1893, four houses were assessed on block 11, including three on Euclid Avenue: the Frank M. Wilson house on lot 7 (1801 Euclid Ave.), the William Wallace Clark house on lot 6 (1805 Euclid Ave.), and the James Scott house on lot 5 (1809) Euclid Ave. 1801 Euclid Avenue was the first house Wilson owned in Berkeley and may have occupied.
In 1894 Wilson repurchased the hilltop lot he sold to Captain Riley, and constructed a home for his family there, built and designed by George Frederick Estey (pp. 34-38). Wilson lived in the home until his death in 1936, and the house was replaced by a library in 1979 (p.44).

**Figure 3. 1911 Sanborn Map**

In 1900 Wilson offered U.C. president Benjamin Ide Wheeler a large parcel of land on Scenic Avenue, directly opposite his own house, and supervised construction of Wheeler’s new residence. Wilson also financed U.C. campus architect John Galen Howard’s house on Ridge Road and surrounded his home with residences of university leaders including Dean of Women Lucy Sprague and College of the commerce founder Adolph C. Miller completed the privileged hilltop enclave (pp. 40-41). (Figure 3)

In 1902, the William W. and Mary Henry purchased the James Scott property at 1809 Euclid Avenue and built the Northgate Hotel. In approximately 1910, the Henrys acquired many properties along the east side of Euclid Avenue, including the (Wilson and Clark) houses, located at 1801 and 1805 Euclid Avenue. In 1915 the Henrys moved and incorporated the houses into the Bennington Apartments building facing Ridge Road.

Until 1923 the Northside consisted mainly of single-family homes, fraternity houses, and a few select apartment buildings. The west side of Euclid Avenue remained undeveloped until the 1923 fire devastated most of the Northside, excluding block 11(Figure 2).
Property Description
2508 Ridge Road, historically known as the “Bennington Apartments” building is located on the south side of Ridge Road between Euclid and Le Roy Avenues. The building is two stories above street grade and one story below, designed predominantly in the Shingle Style with Stucco Arts and Crafts elements. The existing apartment building was constructed in 1915 and the result of adjoining two 19th-century single-family homes back-to-back that were originally located on Euclid Avenue (Figure 4). The 19th century single-family homes were constructed circa 1892.

Figure 4. 1911 Sanborn Map

The Bennington Apartments building street (north) façade retains the features of the c. 1892 William Clark house, originally located at 1805 Euclid Avenue. The front half of the porch’s inner wall is shingled and appears to represent the length of the Clark house. The rear half of the porch is narrower, and its inner wall is stucco-clad. The balcony was railed with wooden balusters until 2007 when the balustrade was replaced with a solid, shingle-clad parapet with wooden cap. The balcony leads to what appears to have been a sleeping porch with shed roof. Above the porch, the overhanging top floor is fenestrated with a single sliding aluminum window and three rows of wood-sash, double-hung, 1-over-1 windows in groups of five, two, and four respectively. The southern end of the interior side (west) façade appears to consist of an addition or additions possibly built after 1915. Clad in unpainted stucco, most of the lower level was built as connective tissue in 1915, when the two houses were combined.
Landmarks Preservation Ordinance Significance Criteria

To designate a property as a landmark, historic district, or structure of merit, the LPC must find that the property meets one or more of the criteria delineated in Landmarks Preservation Ordinance (LPO) Section 3.24.110. The significance criteria for Landmarks and Historic Districts in the City's Preservation Ordinance are relatively specific and appear to align with California Register and National Register criteria. The significance criteria for a Landmark, Structure of Merit are broader, and include properties that qualify individually as good examples, or that qualify as contributors to the context of a larger streetscape or area.

The Landmarks Preservation Ordinance (Section 3.24.110.A) lists specific criteria which the Commission shall use when considering structures, sites and areas for landmark and historic district designation (link). The Landmark application finds the property significance under Criteria 3.24.110.A.1.a and b, and 3.24.110.A.4.

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

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

   The Landmark application provides an extensive historical context for the development of Daley’s Scenic Park tract. Built circa 1892, the Frank M. Wilson house (formerly 1801 Euclid Ave.) and the William Wallace Clark house (formerly 1805 Euclid Ave.) were among the first houses constructed in the tract. Moved to their present location and incorporated into the Bennington Apartments building in 1915, the Commission will need to consider the extent to which the integrity of those houses exists to communicate their significance under this criterion.

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

   The Landmark application includes information that the circa 1915 Bennington Apartments building combines a rare 19th Century street (north) façade with Arts & Crafts elements along its interior side (west) elevation, including notable architectural details such as the circular stucco wall, glazed doors, arched windows, robust tapered columns, and flared brick chimneys. The Commission will need to consider the extent to which this unique design is an outstanding architectural example.
4. **Historic value:** Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States.

*History may be social, cultural, economic, political, religious or military;*

In evaluating associations with people at the local level: where a person or organization of primary importance will have played a decisive and far reaching role in the development of a community, a person or organization of secondary importance will have played a major or leading role in the development of the larger community, or a decisive role in the development of a particular neighborhood or segment of the community.

The Landmark application includes information that Frank M. Wilson; the proprietor and chief promoter of the Daley’s Scenic Park tract, and a civic business leader, and patron of charities, the arts, and the University; owned and may have occupied the house formerly located at 1801 Euclid Avenue in 1893, when within the year Oscar G. May acquired the house and moved in with his family. While Wilson played a role in the development of the Daley’s Scenic Park tract neighborhood, the Commission will need to consider the extent to which Wilson played a far reaching role in the development of the City. Furthermore, while the significance of the larger area is beyond the scope of this Landmark application, the Commission will need to consider the extent to which the Bennington Apartments building individually embodies the history of Wilson’s associations with the Daley’s Scenic Park tract development patterns.

The application also includes information that William W. and Mary Henry, pioneers in the early commercial development of Euclid Avenue and the parents of Aurelia Henry Reinhardt, acquired the former Wilson and Clark houses in 1910, moving and incorporating them into the apartment building in 1915, naming them after Mr. Henry’s hometown, Bennington. The Commission will need to consider the extent to which the property individually communicates the role of the Henrys in the development of the neighborhood; as well as any association with their daughter Aurelia Henry Reinhardt, who lived in the apartments for a year, prior to her election as president of Mills College in 1916.

The Landmarks Preservation Ordinance (Section 3.24.110.B) also lists general criteria the Commission shall use when considering a structure for structure of merit designation. Therefore, the Commission may also consider the extent to which the property is significant under Criteria 3.24.110.B.1 and 2.

3.24.110.B.1. **General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part**
of a group of buildings which includes landmarks, that structure may be designated a structure of merit.

Should the Commission find that the structure does not currently meet the criteria as set for a landmark, but is worthy of preservation as part of a neighborhood, or as part of a group of buildings which includes landmarks, the Commission may consider the following criteria.

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

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

   The Commission may consider the extent to which the structure is contemporary with the eight designated Landmarks, constructed within the Daley's Scenic Park tract neighborhood between 1893 and 1914 (figure 1).

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

   As noted above, the application includes information that the circa 1915 Bennington Apartments building combines a rare 19th Century street (north) façade with Arts & Crafts elements along its interior side (west) elevation, including notable architectural details such as the circular stucco wall, glazed doors, arched windows, robust tapered columns, and flared brick chimneys. The Commission will may consider the extent to which this unique building represents a good example of architectural design.

   d. The structure has historical significance to the City and/or to the structure’s neighborhood, block, street frontage, or group of buildings. (Ord. 5686-NS § 1 (part), 1985: Ord. 4694-NS § 3.1, 1974)

   The application also includes information that William W. and Mary Henry were pioneers in the early commercial development of Euclid Avenue that began in earnest in the mid-1920s. The Commission may consider the extent to which the structure has historical significance to the City and/or neighborhood, for its construction in 1915 by the Henrys, who acquired and moved the former Wilson and Clark houses to the property in order to incorporate them into the larger structure on Ridge Avenue.
V. Recommendation

The Commission consider the extent to which the structure meets Landmark significance criteria under Section 3.24.110.A or Structure of Merit significance criteria under Section 3.24.110.B of the Landmarks Preservation Ordinance.

Attachments:

1. Draft Findings
2. January 19, 2016 Landmark Application
3. Public Hearing Notice
4. Communication

Planner: Charles Enchill, Assistant Preservation Planner (510) 981-7431
cenchill@cityofberkeley.info
Sally Zarnowitz, AIA, Principal Planner (510) 981-7429
szarnowitz@cityofberkeley.info
DATE OF COMMISSION DECISION: February 4, 2016
DATE NOTICE MAILED: February 29, 2016
APPEAL PERIOD EXPIRATION: March 15, 2016
EFFECTIVE DATE OF DECISION (Barring Appeal or Certification): March 16, 2016

2508 Ridge Road (Bennington Apartments)

Landmarks Preservation Commission Landmark Initiation (LMIN#2015-0004) to consider designation of the structure located on the above property as a City of Berkeley Landmark.

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

DESIGNATION: Landmark
INITIATED BY: Landmarks Preservation Commission

LANDMARK APPLICATION AUTHOR(S): Daniella Thompson, 2663 Le Conte Avenue Berkeley, CA 94709

ZONING DISTRICT: C-N (H) Neighborhood Commercial, Hillside, R-3H Multiple-Family Residential, Hillside

ENVIRONMENTAL REVIEW STATUS: The designation qualifies for a Categorical Exemption under Section 15061 of the Public Resources Code, Guidelines for Implementation of the California Environmental Quality Act (CEQA).

The application materials for this project are available online at:
http://www.cityofberkeley.info/zoningapplications

1 Pursuant to BMC Section 1.04.070, if the close of the appeal period falls on a weekend or holiday, then the appeal period expires the following business day. Pursuant to BMC Section 3.24.190, the City Council may “certify” any decision of the LPC for review, within fifteen days from the mailing of the NOD. Such certification shall stay all proceedings in the same manner as the filing of a notice of appeal.
FINDINGS AND APPLICATION ARE ATTACHED TO THIS NOTICE

COMMISSION VOTE: 8-0-0-1

YES: BEIL, BROWN, LINVILL, SCHWARTZ, SHENOY, HALL, OLSON, SUCZYNSKI SMITH

NO:

ABSTAIN:

ABSENT: BELSER

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.

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.
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 including 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.
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, Charles Enchill, at (510) 981-7410 or cenchill@cityofberkeley.info. All project application materials, including full-size plans, may be viewed at the Permit Service Center (Zoning counter), 2120 Milvia Street, between 8 a.m. and 4 p.m., Monday through Friday.

ATTACHMENTS:
1. Findings
2. Landmark Application, received JANUARY 19, 2016

cc: Applicant
    Owner
    City Clerk
    Author:
    Daniella Thompson
    2663 Le Conte Avenue
    Berkeley, CA 94709

Property Owner:
    David C. Ruegg & Robert A. Ellsworth
    Rue-Ell Enterprises, Inc.
    2437 Durant Avenue
    Berkeley, CA 94704
2508 Ridge Road

**Landmark Initiation LMIN2015-0004 for consideration of a City of Berkeley Landmark designation.**

**PROJECT DESCRIPTION**

City Landmark Designation for “Bennington Apartments” property, located at 2508 Ridge Road

**CEQA FINDINGS**

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq.) pursuant to Section 15308 and 15331 of the CEQA Guidelines.

**LANDMARKS PRESERVATION ORDINANCE FINDINGS**

Whereas pursuant to Berkeley Municipal Code Section 3.24.110.A the Landmarks Preservation Commission of the City of Berkeley finds:

Consistent with Section 3.24.110A.1.a., the Bennington Apartments property, located at 2508 Ridge Road, is worth preserving for its architectural merit, constructed from the joining of two houses built circa 1892, it is—alongside 2531 Ridge Road—the oldest surviving structure in Daley’s Scenic Park.

Owing to the age of its component houses, the Bennington is one of the three oldest known brown-shingle buildings in Berkeley, the others being the Anna Head School’s Channing Hall and the greatly altered Maybeck House No. 1; and

Consistent with Section 3.24.110A.1.b., the Bennington Apartments combine a rare 19th-century Shingle Style street façade with Arts & Crafts elements along its west elevation, including notable architectural details such as a circular stucco wall, handsome glazed doors and arched windows, robust tapered columns, and flared brick chimneys. This highly unusual hybrid style is unique on the Northside and very likely in all of Berkeley; and

Consistent with Section 3.24.110A.4., the Bennington Apartments possess historic value. The building is the only extant relic of 19th-century Euclid Avenue.
The first owner of one of the Bennington Apartments' component houses was Frank M. Wilson, proprietor and chief promoter of the Daley’s Scenic Park tract, a civic and business leader, and a patron of charities, the arts, and the University of California. Wilson was closely associated with U.C. president Benjamin Ide Wheeler, U.C. regent Phoebe Apperson Hearst, and U.C. campus architect John Galen Howard, all of whom became his immediate neighbors.

The Bennington Apartments were constructed by William W. and Mary Henry, pioneers in the early commercial development of Euclid Avenue and the parents of Aurelia Henry Reinhardt, who herself was a resident of the Bennington Apartments from the time the building opened in 1915 until she was elected president of Mills College in 1916 and moved to Oakland; and

The Bennington Apartments retain integrity of location, design, materials, feeling, and association.

The property located at 2508 Ridge Road “Bennington Apartments” is hereby designated a City of Berkeley Landmark.

Now therefore, the property located at 2508 Ridge Road “Bennington Apartments” is hereby designated a City of Berkeley Landmark, Structure of Merit.

The distinguishing exterior features of the Bennington Apartments include:

- Street setback with front yard
- Elongated mass with gable roof and cross-gables at the southern end
- Two brick chimneys with flared tops
- Late 19th-century Shingle Style street façade with overhanging front gable and recessed attic window
- Two-story round turret with shallow conical roof
- Unpainted wood shingles with scalloped or sawtooth edge trim
- Unpainted gray stucco on lower-level wall of west façade
- Dormer with recessed window on east façade
- Long entrance porch at street level, with beadboard ceiling; square wooden posts; brick-capped stucco parapet; shingled and stucco-clad inner wall
- Curved stucco parapet with convex cap at entrance to main porch
- Circular stucco wall at the northwest corner
- Wood-sash windows with molded wood trim on all façades, including double-hung, casements, and pivoting windows; both arched and rectangular; with single panes or divided lights
- Wooden doors with molded wood trim on all façades, including arched and rectangular; solid, semi-glazed, and glazed; with single panes or divided lights
- Arched and squared doorway openings in stucco wall on lower level of west façade
- Lower-level porch at southwest corner, with wood-beamed ceiling and two tapered, round, robust stucco-clad columns
- Sleeping porch with shed roof at the southwest corner
- Brick details, including brick porch walkway, and brick window sills
1. **Street Address:** 2508 Ridge Road  
   **County:** Alameda  
   **City:** Berkeley  
   **ZIP:** 94709

2. **Assessor’s Parcel Number:** 58-2200-13 (Daley’s Scenic Park, Block 11, portions of lots 4, 5, 6, 7, and 8)  
   **Dimensions:** 119.5 ft x 60 ft + 50 ft x 40 ft + 29 ft x 50 ft (10,550 sq ft)  
   **Cross Streets:** Euclid Avenue & Le Roy Avenue

3. **Is property on the State Historic Resource Inventory?** No  
   **Is property on the Berkeley Urban Conservation Survey?** Yes  
   **Form #:** 24210

4. **Application for Landmark Includes:**  
   a. **Building(s):** Yes  
      **Garden:** Front Yard  
      **Other Feature(s):**  
   b. **Landscape or Open Space:** Parapets, brick paving & trim  
   c. **Historic Site:** No  
   d. **District:** No  
   e. **Other:** Entire Property

5. **Historic Name:** Bennington Apartments  
   **Commonly Known Name:** N/A

6. **Date of Construction:** c. 1892; 1915  
   **Factual:** Yes  
   **Source of Information:** Permit #4644, 8 June 1915; assessment records for 1893–1913

7. **Architect:** Unknown

8. **Builder:** Henry Investment Co.

9. **Style:** Early 1890s Shingle Style (front), Shingle/Stucco Arts & Crafts

10. **Original Owner:** Henry Investment Co.  
    **Original Use:** Residential (6 apartments)

11. **Present Owners:** David C. Ruegg & Robert A. Ellsworth  
    Rue-Ell Enterprises, Inc.  
    2437 Durant Ave, Berkeley, CA 94704  
    **Present Occupant:** Residential tenants

12. **Present Use:**  
    **Residential:** Multiple (15 apartments in two buildings)  
    **Current Zoning:** C-N(H) & R-3H  
    **Adjacent Property Zoning:** C-N(H) & R-3H

13. **Present Condition of Property:**  
    **Exterior:** Fair  
    **Interior:** Unknown  
    **Grounds:** Fair  
    **Has the property’s exterior been altered?** Yes

2508 Ridge Road Landmark Application, Page 2 of 73
The Property on Assessor’s Map 58, Block 2200

Executive Summary

The Bennington Apartments were created in 1915 from the joining of two adjacent 19th-century single-family homes that had originally stood at 1801 and 1805 Euclid Avenue and were moved to the rear of their lots, reoriented, and placed end-to-end. The resulting building is the only extant relic of 19th-century Euclid Avenue.

Constructed circa 1892, the two houses were among the earliest built in the newly subdivided (1889) Daley’s Scenic Park tract. Joined, these houses represent the oldest surviving brown-shingle building on the Northside and—alongside the Anna Head School’s Channing Hall and Maybeck House No. 1—one of the three oldest known brown-shingle buildings in Berkeley.

The first owner of 1801 Euclid Ave. was Frank M. Wilson, the Chicago banker who acquired the entire Daley’s Scenic Park tract in 1891. Wilson quickly established himself as a Berkeley VIP, a civic and business leader, and a patron of charities, the arts, and the university. He was closely associated with Benjamin Ide Wheeler, Phoebe Apperson Hearst, and John Galen Howard, all of whom became his immediate neighbors.

About 1910, the two Euclid Avenue houses were acquired by William W. and Mary Henry, proprietors of the adjacent Northgate Hotel and parents of Aurelia Henry Reinhardt, future president of Mills College.

Dr. Reinhardt resided in the Bennington Apartments from the time the building opened in 1915 until she moved to the Mills College campus in 1916.

The Bennington Apartments combine a rare 19th-century Shingle Style street façade with Arts & Crafts elements along the west elevation. The latter include
notable architectural details such as a circular stucco wall, handsome glazed doors and arched windows, and robust tapered columns. This highly unusual hybrid style is unique on the Northside and possibly in all of Berkeley.

Figure 2. Block 11 in the 1903 Sanborn map. In 1915, the two shaded 19th-century houses were moved to the east side of their lots, reoriented and joined to form the Bennington Apartments.

Figure 3. Euclid Avenue in 1906. L to R: 1801 & 1805 Euclid Ave., Northgate Hotel (frame from the film A Trip to Berkeley, Cal.)
Figure 4. Building permit #4644 for moving and joining two houses to create the Bennington Apartments, dated 8 June 1915
14. Description

The Bennington Apartments building is located at 2508 Ridge Road, directly behind the Northgate commercial district on Euclid Avenue. On its north, east, and south, the Bennington is surrounded by apartment buildings, residential student co-ops, University of California academic buildings, and the Hearst Food Court.
The 10,735-square-foot frame building consists of two stories above street grade and one story below. It is clad in unpainted wood shingles and surmounted by a series of gable- and cross-gable roofs clad in composition shingles. Two flared brick chimneys crown the roof ridge.
Street (North) Façade

The Bennington Apartments’ street façade retains the features of the William Wallace Clark house (built c. 1892), which originally stood at 1805 Euclid Avenue. The façade is a story-and-a-half high, with a front gable adjoined by a round, two-story turret at the west end.

The shingle cladding, replaced in 2007, is divided into three horizontal bands, of which the top two are defined by scalloped (formerly sawtooth) edges.

The front gable overhangs the ground-floor wall and curves inward, embracing a recessed central window. The window is a double-hung wood sash with molded wood trim and undivided panes. On the ground floor, below the scallop-edged shingle border, there are two wood-sash windows. The window on the left is double-hung and of the same type and proportions as the attic window (upper pane is half the height of the lower pane). The window on the right, placed high, is horizontal and single-paned.

The corner turret is capped by a shallow conical roof and features seven narrow double-hung wood-sash windows: two closely spaced pairs on the ground floor and three widely spaced single windows on the second floor.
Main Entrance

The main entrance is located at the western edge of the building, to the right of the turret, and is set back from the street. A concrete path leads from the sidewalk to two brick steps. These rise onto a brick landing bounded by a curved
stucco parapet wall with a convex cap. Along the exterior of this stucco wall, a circular, modern concrete staircase with a metal railing descends to the lower level.

![Figure 12. Main porch, Sept. 2015](image1)

**Main Porch**

The brick landing leads into a long porch running along the west wall of the building. The porch is overhung by the upper floor, which is supported by a row of seven square wooden posts rising from a brick-capped, stucco-clad parapet wall. The porch ceiling is made of beadboard.

The front half of the porch’s inner wall is shingled and appears to represent the length of the Clark house. It features a paneled wooden door with an undivided glazed upper part and two large double-hung windows of the same design and proportions seen on the street façade.

![Figure 13. Porch front, Jan. 2016](image2)
The rear half of the porch is narrower, and its inner wall is stucco-clad, beginning with an obliquely placed arched door opening into the stairwell. This door is wood-framed and glazed with 18 (3 over 6) lights.
Beyond the arched door, there is a long niche lined with three attached wood-sash, double-casement windows with undivided panes. South of the niche is a paneled wooden door with 3-over-2 glazing in the upper part.

![Figure 17. Casement windows in niche, porch rear, Sept. 2015](image17)

The porch ends with an uncovered balcony extension. Along the wall, there are three attached wood-sash, double-hung windows. Until 2007, when ¾ of the building was re-shingled, the balcony was railed with turned wooden balusters. In the course of remodeling, the balustrade was replaced with a solid, shingle-
clad parapet with wooden cap. The balcony leads to what appears to have been a sleeping porch with a shed roof. It is accessed via a paneled wooden door with an undivided glazed top part.

**Upper Level, West Façade**

![Image](image1.png)

*Figure 19. Upper level, west façade, Sept. 2015*

Above the porch, the overhanging top floor is fenestrated with (north to south) a single sliding aluminum window and three rows of wood-sash, double-hung, 1-over-1 windows in groups of five, two, and four, respectively. The
southern end of the west façade appears to consist of an addition or additions, possibly built after 1915. It is described in Rear (South) Façade, page 19.

Figure 21. Southern end, west façade, Sept. 2015

Lower Level, West Façade

Figure 22. Approach to lower level, Sept. 2015

Along the west façade, the building’s ground floor, built below grade, is accessed via the circular staircase descending from the entrance and ending at a
brick landing. Clad in unpainted gray stucco, most of the lower level was built as connective tissue in 1915, when the two houses were combined.

At the lower landing, the circular wall opens into a small recess (Fig. 22) containing two wooden doors, one of which is semi-glazed. Two brick steps descend to a concrete path running the length of the wall. Along this wall, windowsills and steps are made of red brick.

![Figure 23. Lower-level fenestrations, Sept. 2015](image)

Along the façade on the lower level, there are three recessed, arched, wood-framed mullioned windows divided into six sections. The lunette at the top is composed of a central pane flanked by two quarter-rounds divided horizontally by one muntin. The bottom part consists of a central pane flanked by two narrow vertical casements divided horizontally by two muntins.

At the center of the façade, four brick steps lead through an open arched doorway into a small portico containing the doors to apartments 5 and 6. The doors are paneled, with 3-over-2 lights in the upper part. Between them is a high horizontal window with 3-over-2 lights.

![Figure 24. Lower-level window, west façade](image)
An unusual porch with a wood-beamed ceiling is located at the southwestern corner of the lower level. It is defined by two stucco-clad round, tapered columns surmounted by wooden beams and supporting the rear wing of the building.
To the left of the columns, a shallow porch recess features a small single-pane window facing south (Fig. 26) and a double casement window facing west (Figs. 27 & 29). The upper part of the latter window consists of two pivoting transoms; the casements below swing out.

At the south end, between the columns, the porch is deeply recessed. Facing south is a long, narrow window with a brick sill. Next to it and facing west is a paneled wooden door with 3-over-2 glazing in the upper part. To the right of the door there is another double casement window with pivoting transoms.

![Figure 29. Former balustrade above lower-level corner porch, March 2006](image)

Until 2007, the balcony above the left part of the porch featured an elegant wooden balustrade (Fig. 29). Regrettably, this First Bay Region Tradition feature was replaced with a solid parapet (Figs. 21, 25–27). Another lost feature is the previous wooden screen on the porch, replaced with off-the-shelf latticework.

Overhanging the southern end of the porch is a room that appears to have originally served as a sleeping porch. It has a shed roof, its western wall is glazed with a row of five attached single casements, and its southern wall is lined with a row of three attached multi-pane (2 over 3) windows (Fig. 30).

Although no architect’s name was entered in the 1915 building permit, the design of the lower west façade, and especially the robust columns, is reminiscent of some work done by Walter H. Ratcliff, Jr.
Rear (South) Façade

*Figure 30. Rear wing, Sept. 2015*

*Figure 31. Rear of building (Apple Maps)*
At the southern end, a three-story wing with a cross-gable roof is attached to the rear of the main mass. On the ground floor, the rear façade features a row of four attached wood-sash casement windows with transoms. On the second floor, to the right of the sleeping porch, are a double casement and a pair of attached double-hung, 1-over-1 wood-sash windows. On the third floor are two separate double-hung, 1-over-1 wood-sash windows. A single double-hung, 1-over-1 wood-sash window is located in the attic gable.

**East Façade**

![Figure 32. Northeast corner, Sept. 2015](image)

The greater part of the east façade is obscured by trees growing in the garden of the adjacent apartment building. The east façade is the only side that was not re-shingled in 2007. Like the other three façades, it retains its wood-sash windows and original wooden doors.

At the front end of the east façade, a dormer with a miniature Dutch gable contains a recessed double casement wood-sash window. The dormer walls curve in toward the window recess, as they do on the front gable. On the ground floor, there is a partially glazed door similar to those seen along the west façade, as well as a high-sill, double casement window. The central part of the east façade features a covered upper-level gallery/staircase. Toward the rear, a wing under a cross-gable echoes the one on the west and south sides.
Figure 33. Dormer, east façade, Jan. 2016
Accessory Buildings

There are two accessory buildings at the south and east ends of the parcel. One of these is a two-story, four-unit apartment building constructed in 1937 by Charles V. Harris, who acquired the Bennington Apartments in 1933.
The building is flat-roofed and stucco-clad, with a symmetrical façade featuring a central portico with an arched doorway. The windows are not original.

The second accessory building is a one-story, three-car garage located against the eastern edge of the parcel. The first structure documented on this spot was a stable, originally part of the James Scott property at 2520 Ridge Road. The Scott stable appears in the 1903 Sanborn map.

About 1908, the Scott house was sold to Prof. Ludwig Demeter and his wife, Rowena. In 1910, the Demeters’ architects, George Plowman & John Hudson Thomas, remodeled the house into the 6-unit Inverness Apartments. About that time, the rear of the Demeter parcel was deeded, along with the stable, to the Chi Psi fraternity and attached to its parcel at 2521 Hearst Avenue.

In 1928, Walter W. Dixon of “Modest Mansions” fame designed a three-story apartment building for Henry E. Tweed at 2511 Hearst Avenue. Once again, the stable’s ownership was transferred, this time from 2521 to 2511 Hearst Avenue. The stable itself gave way to a garage, which appears in the 1929 and 1950 Sanborn maps.

At an unknown date after 1950, property boundaries were redrawn for the third time, and the garage area was annexed to 2508 Ridge Road.

The faux timbering above the garage door was a feature popular in the late 1920s. No permit documentation was found for this structure; thus it is not known whether the garage is a remodel or a complete replacement of the original stable.
Features to Be Preserved

The distinguishing features of the Bennington Apartments include:

- **Street setback** with front yard
- **Elongated mass** with gable roof and cross-gables at the southern end
- **Two brick chimneys** with flared tops
- **Late 19th-century Shingle Style street façade** with overhanging front gable and recessed attic window
- **Two-story round turret** with shallow conical roof
- **Unpainted wood shingles** with scalloped or sawtooth edge trim
- **Unpainted gray stucco** on lower-level wall of west façade
- **Dormer** with recessed window on east façade
- **Long entrance porch** at street level, with beadboard ceiling; square wooden posts; brick-capped stucco parapet; shingled and stucco-clad inner wall
- **Curved stucco parapet** with convex cap at entrance to main porch
- **Circular stucco wall** at the northwest corner
- **Wood-sash windows** with molded wood trim on all façades, including double-hung, casements, and pivoting windows; both arched and rectangular; with single panes or divided lights
- **Wooden doors** with molded wood trim on all façades, including arched and rectangular; solid, semi-glazed, and glazed; with single panes or divided lights
- **Arched and squared doorway openings** in stucco wall on lower level of west façade
- **Lower-level porch** at southwest corner, with wood-beamed ceiling and two tapered, round, robust stucco-clad columns
- **Sleeping porch** with shed roof at the southwest corner
15. History

Origins of the Daley’s Scenic Park Tract

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

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

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

![Figure 38. Plot 81 (shaded) in Kellersberger’s Map](image)

Among the principal early purchasers of Peralta lands were John C. Hays and John Caperton. Col. John Coffee Hays (1817–1883) was a former Texas Ranger, San Francisco’s first elected sheriff, and one of the founders of Oakland. In 1853, President Franklin Pierce appointed him Surveyor General of California. John Caperton was Hays’s best friend and second-in-command.
Included in the Peralta lands acquired by Hays and Caperton was plot No. 81 in Kellersberger’s map. This 160-acre tract comprised the future northern portion of the University of California campus, as well as the future Daley’s Scenic Park tract. The north fork of Strawberry Creek meandered along the southeastern portion of the plot. On its south border, plot 81 abutted plots 70 and 71, which belonged to pioneer Berkeley farmers James Leonard and William Hillegass, respectively. On 21 November 1857, Hays and Caperton sold the southern 60 acres of plot 81 for $1,200 to Elnathan B. Goddard and Ira P. Rankin, two trustees of the College of California. On 16 August 1860, Goddard and Rankin deeded the same 60 acres for the same consideration to the president and board of trustees of the College of California.

Hays and Caperton sold the northern 100 acres of plot 81, together with 100 acres of plot 82 (current site of the Berkeley Lab) on 16 September 1858 to Rev. Henry Durant. In June 1860, Durant sold the 200 acres to Elnathan B. Goddard. Durant made a handsome profit on the transaction, pocketing $9,000 on an investment of $1,800.

Elnathan Beach Goddard

![Image of Elnathan and Fannie Goddard]

Figure 39. Mr. and Mrs. Goddard were charter members of the First Congregational Church of Oakland, founded in 1860 (source: FCCO’s Founding Members and Pastors).


Elnathan Beach Goddard (1805–1864) was the earliest documented owner-resident of the future Daley’s Scenic Park. He was born in Vermont to Dr. Pliny Goddard and Laura Alma Beach. His father died while Elnathan was still a teenager, and the family moved to New York State, where young Elnathan worked in a law office and later as a store clerk.\(^3\)

Returning to Vermont, he married Fannie Colby in 1830 and shortly thereafter settled in Middlebury, where he co-founded the Middlebury Savings Bank and the Middlebury Manufacturing Company and acted as treasurer of the American Education Society.

In 1839, the Goddards moved to Macoupin County, Illinois, and adopted a son. E.B. Goddard became involved in the newly founded Woodburn Congregational Church and eventually held the office of deacon.

By the late 1840s, the Goddard family had moved to New York City, and E.B. Goddard was now in business as a merchant, also acting as secretary of a flax- and hemp company.

The Goddards arrived in California in 1850 and were among the ten original members of San Francisco’s Howard Street Presbyterian Church, founded that year by Rev. Samuel Hopkins Willey, co-founder of the College of California.\(^4\) In the 1852 California Census, the Goddards were listed as residents of Mariposa County.

In 1854, E.B. Goddard acquired the Pacific Iron Works (later known as Pacific Foundry and Machine Shop) in San Francisco. The firm employed 50 to 80 workers in 1856, doing an average annual business of $240,000.\(^5\)

Goddard and his wife were involved—as trustee and manager, respectively—in running the San Francisco Ladies’ Protection and Relief Society, which operated a “Hospitality House” for indigent women and adoption/employment programs for orphans. Goddard also acted as elder of the Howard Street Church until 1862, the close of Rev. Willey’s pastorate.

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became one of the “very earliest and most efficient workers for the college [of California], also a trustee.”

Goddard’s trusteeship of the College of California began in 1856 and continued until his death. He was present at the historic dedication of the college site on 16 April 1860, when the trustees assembled at Founders’ Rock and made the formal resolution “setting apart the grounds as the location of the College of California.”

Goddard and fellow trustee Ira P. Rankin (who was also Goddard’s partner in the Pacific Foundry) purchased the 60 acres they later deeded to the College of California before the Berkeley site had been formally selected. This land included Founders’ Rock and most of the northern half of the present campus.

Goddard was the first College of California leader to build his home near the future campus. Berkeley historian William Warren Ferrier described the campus and its surroundings as they were in the 1860s:

Village life in Berkeley began at a time when the first house which was built in the College Homestead plat was occupied in December, 1865, by Dr. S. H. Willey, the vice-president and acting president of the College of California. At that date in all the territory now covered by the City of Berkeley there were only a few scattered dwelling-places—mostly ranch-houses. A rough outline map of the College Homestead plat, in the archives of the University, drawn in 1864, designates only two houses adjacent to the College site and the Homestead tract. One was the home of Mr. Orrin Simmons who in 1864 had sold all of his land, except a few acres, to the College of California for town-plotting purposes. This was on the south bank of Strawberry Creek, near the Stadium. The other house stood on a one-hundred acre tract north of the campus. It was the home of Mr. E. B. Goddard, a retired San Francisco business man, a member of the board of trustees of the College of California and one of its most generous supporters. The Goddard home stood where Cloyne Court now stands, and the beautiful and commanding site of the Pacific School of Religion was included in his tract.

Goddard was listed as an Oakland resident in the 1860 U.S. Census and the 1862 San Francisco city directory (Berkeley would not be named until 1866). The census entry enumerated him as a farmer with real estate valued at $16,000 and personal estate valued at $10,000. In 1860, Goddard co-founded the First Congregational Church of Oakland, where he held the office of deacon until his death in 1864.

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8 Ibid.
9 *Berkeley, the First Seventy-Five Years*. Berkeley: The Gillick Press, 1941.
11 Minutes of the First Congregational Church of Oakland, 16 October 1860.
Theodore Le Roy

Like Elnathan Goddard, Theodore Le Roy (1816–1882) was an early settler in California. He was born in Meaux, France, to a farming family. In the 1840s, he went into the import-export business with his brothers, Victor and Eugene, trading between France and South America.¹³

In the fall of 1848, Victor Leroy [sic] arrived in Callao, Peru, aboard the chartered brig Theresa. Learning about the California Gold Rush and worried that his crew would abandon ship to join the gold seekers, he decided to sail to San Francisco and trade there. On 12 April 1849, the Theresa, 53 days from Valparaiso, arrived in San Francisco with “Merchandise to order. 28 passengers.”¹⁴

Victor purchased a store building on Montgomery Street and went into the trading business. The store burned down on Christmas Eve, 1849, prompting the first of several successive moves to new locations.

![Figure 41. Victor Leroy’s store (#13, shaded) in a plan published in the Daily Alta California, 28 Dec. 1849](image)

Theodore reportedly joined his brother in California in 1850.¹⁵ The 1852 California State Census enumerated him as a merchant residing in San Francisco. The San Francisco city directories of 1852–1854 listed him as an importer of paper hangings.

In 1864, the IRS tax assessment listed the three Le Roy brothers at 716 Montgomery Street. Victor and Eugene soon returned to France, but Theodore remained in San Francisco for the rest of his life. He entered the real estate business, buying and selling vast tracts of land and also acting as agent and

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lender on a large scale. In about 1871, a year before the town of San Leandro was incorporated, Le Roy bought “all the unsold lots and lands in the town and paid all taxes thereon.”\footnote{Joseph E. Baker, ed. \textit{Past and Present of Alameda County, California}. Chicago: The S.J. Clarke Publishing Company, 1914.} By 1875, the Alameda County Assessor’s return showed his Eden Township assets to be worth $139,650. Having advanced hundreds of thousands of dollars to the Estudillo family, he ended up owning the 43,682-acre Rancho Guadalupe, as well as Rancho San Leandro and Rancho Casmalia.

In addition to investing in real estate, Theodore Le Roy had his hand in banking, railroads, and mining. Unmarried and childless, he left his estate, valued at $1,368,741, to his brother Victor and the two sons of his deceased brother Eugene. Le Roy’s mistress, the retired actress Sallie Hinckley, was left $300 a month for life. Following litigation, she ended up settling with the heirs for a lump sum of $60,000, out of which her three attorneys pocketed $20,000.

![Figure 42. Theodore Le Roy's Berkeley land (No. 81) in Thompson & West's map, 1878](image)

It is not known when Theodore Le Roy acquired Elnathan B. Goddard’s Berkeley land. From 1878 through 1884, Berkeley assessment records listed him as the sole owner of plot 81. From 1885 through 1887, his estate owned two-thirds of plot 81, the remaining third being owned by Catherine B. Felton. Mrs. Felton (c. 1845–1888) was the widow of John Brooks Felton (1827–1877), president of the San Francisco and Oakland Railroad, a University of California regent, and the 14\textsuperscript{th} mayor of Oakland. About the time of Mrs. Felton’s death, ownership of plot 81 passed to Thomas J. Daley.


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Thomas J. Daley

Thomas J. Daley (1853–1911), who gave his name to Daley’s Scenic Park, never lived in Berkeley. He was born in Boston and lived most of his life in San Diego. A biographical sketch17 of his life, published in 1913, relates:

[...] His education was acquired in the Catholic College at Waukegan, Wisconsin, the money which he had previously earned enabling him to make his way through that school. He afterward worked in a drug store in Chicago and while thus engaged attended night school. Ambitious to continue his education he used every effort to further his opportunities in that direction and was at length graduated from a Chicago college.

Mr. Daley made his way to California around the Horn as a passenger on a sailing vessel and settled in San Diego. Here he entered business circles as a searcher of records in the employ of Fairchild & Company and later he embarked in the same business on his own account. As the years passed by he gradually widened the scope of his activities and became interested in real estate, laying out the Daley Scenic Park tract in Berkeley, California, and otherwise handling property in different districts. He was one of the owners of the Reed & Daley subdivision on Logan avenue and there were few men who had as intimate and accurate knowledge concerning realty conditions and values here. He studied law, particularly that branch relating to real estate, and knew more of the details of abstracting than any other man in San Diego. He saw and utilized every opportunity which others passed heedlessly by and his efforts were usually a factor in the improvement of the city as well as in the attainment of individual success. He was one of the owners and builders of the Cuyamaca Railroad in San Diego and he also engaged in construction work, laying the pavement on Fourth street and also on C street. He was very deeply interested in the city and its welfare and his cooperation could always be counted upon in support of any movement for its material improvement. His knowledge of early conditions here made him a valuable abstractor and his opinions were received as authority, he being often consulted on such matters where the official records were not clear. At one time he owned a mountain ranch of many thousand acres nine miles from Lakeside on which sixty men were employed in the production of hay and grain, in the cultivation of fruit and in the raising of cattle.

Daley was assessed for the undivided plot 81 in 1888 and 1889. Realtor George W. Phelps and his wife purchased the land on 7 May 1889. On 26 August 1889, Phelps and his partner, John W. Richards, filed the Daley’s Scenic Park tract map with the Alameda County Recorder. Joining them in the filing was realtor Cyrus H. Street, who practiced in San Francisco and lived in Berkeley.

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George W. Phelps

George Wesley Phelps (1863–1949) enjoyed a brief, meteoric career in Berkeley real estate. Born in Springfield, Massachusetts to George M. Phelps, a joiner and carpenter, and his wife Emeline, he apparently came to California on his own in his early twenties. He was first registered to vote in Alameda County in 1886, and was listed as a student. He was said to have run a shooting gallery in Sacramento before becoming involved with the Salvation Army. In 1887, he married Christine Willis, a fellow Salvation Army officer from Stockton.

By 1889, the couple was living in Berkeley, and Phelps had formed a real estate partnership with John W. Richards in downtown Berkeley. They filed the Daley’s Scenic Park tract map in August 1889.

Two years later, on 21 August 1891, Phelps and Richards sold the entire tract, with the exception of about eight specified lots, to Frank M. Wilson, who paid $4,000 in gold coin.

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18 “George Phelps Now a Minister.” San Francisco Call, 30 January 1897, page 11.
19 Deed recorded in Book 453, page 433.

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Flush with success, Phelps purchased the rights to an operetta titled *Eileen* and went to Chicago to organize a touring company. The venture swiftly proved a fiasco. On 23 October 1891, the *Oakland Tribune* reported, “George W. Phelps has returned to Berkeley, a sadder but a wiser man. He left here about two months ago and assumed the management of an operatic troupe. Since that time experience is about the only thing he has acquired, the financial part of the scheme having been a dismal failure. Mr. Phelps had entered the employ of an Oakland real estate firm, and is perfectly content to give theatrical business a wide berth.”

In 1893, Phelps briefly ran the Berkeley Cyclery, agents for Victor Bicycles, operating on the northeast corner of Dwight Way and Shattuck Avenue, but he soon moved to San Francisco and entered the Theological Seminary, from which he graduated in 1895. About the same time, he also obtained a law degree. For a while, Phelps officiated as a Presbyterian minister in Ukiah. His wife having died in December 1894, he remarried in Ukiah. By 1900, Phelps had returned to business affairs—first as a lawyer in San Francisco and later as a real estate agent representing Del Monte Heights in Monterey County. Circa 1910, the Phelps family settled in Monterey, where they remained for several decades. Before 1940, George Phelps was committed to the Napa State Hospital in Imola, where he died on 11 November 1949.

While Phelps quickly disappeared from Frank Wilson’s life, John W. Richards, soon to become Berkeley’s mayor, would remain Wilson’s friend and business associate for many years to come.
Early development of Daley’s Scenic Park

The first lot to be developed in the new tract was a house at 1613 Scenic Avenue, between Hilgard Ave. and Cedar Street. It was owned and occupied by Theodore H. Johnson, a brass finisher at W.T. Garratt’s Brass and Bell Foundry in San Francisco.

Johnson was first assessed in 1890. By 1891, new houses had gone up in seven blocks of Daley’s Scenic Park. One of the newly occupied blocks was block 11, where the Bennington Apartments are located. The first house constructed here was the residence of William Mackie, on the northwest corner of College Way (now Hearst Avenue) and Le Roy Avenue, directly across from the sparsely built University of California campus. Mackie was a janitor at the Democratic State Club in San Francisco. The contract notice, published in July 1890 in the California Architect and Building News, identified William Mooser, Jr., as the architect and A.H. Broad as the contractor.

The second house on block 11 was the Henry Coon residence at 2511 College Way, built in the first half of 1891. By 1893, four houses were assessed on block 11, including three on Euclid Avenue: the Frank M. Wilson house on lot 7 (1801 Euclid Ave.), the William Wallace Clark house on lot 6 (1805 Euclid Ave.), and the James Scott house on lot 5 (1809 Euclid Ave.). All three of the Euclid Avenue owners were betting on the new district’s growth potential, and they had good reason to do so: the tract was beautifully unspoiled; the open vistas magnificent; ancient coast live oaks grew in abundance along the north fork of Strawberry Creek; and the university campus lay across the road, promising future inhabitants.
James Scott was a carpenter who would sell his property to the Henrys in 1902 and move around the corner, to 2520 Ridge Road. William W. Clark was a widowed real-estate agent living with four of his offspring, three of whom were enrolled at the San Francisco Business College. The Clarks remained on Euclid Avenue until 1898, when they moved to Oakland.

Frank M. Wilson, on the other hand, would prove to be one of the most important personages associated with Daley’s Scenic Park and would live in the tract for the rest of his life, leaving his mark on the neighborhood in many ways.

Frank M. Wilson

Francis M. Wilson was born on 28 July 1843 in Independence, Indiana, a township located about 130 miles south of Chicago. His parents were James Wilson, a farmer, and Margaret Hemphill Wilson. The Wilsons were a large family, and the children helped out on the farm. As the sons reached adolescence, they turned into farmers, at least while living at home. The 1860 U.S. Census enumerated the 17-year-old Frank Wilson as a farmer. By that time, the Wilsons had relocated to Ash Grove, Iroquois County, Illinois, where they prospered.

On 14 May 1864, Frank Wilson enlisted in the Union Army’s 134th Infantry Regiment, Company B, for a 100-day service. He was mustered on 31 May with the rank of sargeant and mustered out on 25 October 1864.

According to biographical abstracts in various *Who’s Who* publications, Frank was educated in Onarga, Illinois, “Nursery Capital of the Midwest.” He didn’t remain a farmer for long. The 1870 U.S. Census found him and his elder brother, George, living in Douglas Township, five miles north of Onarga. The two brothers were recorded as residing in the household of Richard Garretson, a laborer with no net worth. The Wilson boys, on the other hand, were engaged in an altogether different occupation—both were listed as bankers. The 33-year-old George owned $11,500 in real estate and $45,400 in personal estate, while Frank, then two weeks shy of his 27th birthday, owned $6,700 in real estate and $35,000 in personal estate. How they went about amassing their fortunes is yet to be discovered.

On 29 November 1877, Frank Wilson married Rose Helen Lane (1855–1905) in Hyde Park, Illinois. Rose was the daughter of John Lane, Jr., a well-to-do plow manufacturer whose father invented the steel plow in 1833. Rose’s second great-grandfather was a Lexington minuteman during the American Revolutionary War.

A week after their wedding, Frank and Rose were in New York, obtaining a passport—presumably for their honeymoon trip. Their only son, Raymond Van Wilson, was born in Chicago on 23 August 1879.

In 1880, the Wilsons and their baby were living with Rose’s parents in Hyde Park. The U.S. Census of that year listed Frank as a banker. Nothing is known about his activities during the 1880s or about his motive for moving to California. According to his obituary in the *Berkeley Daily Gazette*, Wilson recognized the early opportunities in this state and decided to make Berkeley his future home.

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Wilson’s obituary dated the family’s arrival in Berkeley to the summer of 1887, but there is no record of his activities in Berkeley until 15 May 1890, when he purchased lot 6 in block 10 of Daley’s Scenic Park (part of his future home site at 2400 Ridge Road) from George Phelps. Five months later, he sold the lot to Captain Peter T. Riley (Wilson would buy the lot back in April 1894).

The Wilsons’ name began appearing in San Francisco newspapers in early 1891. On 27 April of that year, Frank and Rose participated in a reception for President Benjamin Harrison at the Palace Hotel. The following day, the San Francisco Call reported that Mrs. Wilson had worn “gold embroidered tulle, with galloon trimmings; diamonds.”

As stated earlier, Wilson acquired the Daley’s Scenic Park tract from George Phelps on 21 August 1891. Nine days later, he purchased his first real estate ad, which ran daily for a month in the San Francisco newspapers.

**DON’T BUY IN BERKELEY WITHOUT SEEING** the Scenic Park Tract, adjoining the University; prices lower and terms easier than any other property. FRANK M. WILSON, owner, 415 Montgomery st., San Francisco, or HEWITT & RICHARDS, opposite Berkeley Station.
By December 1891, Wilson was offering for sale over 200 lots of “all sizes” in East Berkeley, inviting prospective buyers to send for maps.

Practicing what he preached, Wilson soon settled in Berkeley. 1801 Euclid Avenue (later incorporated into the Bennington Apartments) was the first house he owned here and may have occupied.21 The house could have been built by Frank M. May, since the latter’s father, realtor Oscar G. May, acquired the house within the year and moved in with his family.

When the Wilson family’s furniture arrived from Chicago in October 1893, the family rented more conspicuous digs—the house of Rosa Shattuck’s brother, Ralza A. Morse, on the northwest corner of Shattuck Avenue and Bancroft Way, next door to the Shattuck estate.22

On 16 October 1893, the Berkeley Advocate reported that grading and macadamizing of the streets in Daley’s Scenic Park had been completed. “This tract is one of the most beautiful and attractive in town, and the character of the present improvements indicates that it will be covered with elegant residences,” opined the newspaper.

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21 The first assessment record for 1801 Euclid Avenue, in 1893, shows F.M. Wilson as the owner of lot 7 in block 11, with improvements assessed at $1,000 and personal property at $100.

22 Berkeley Advocate, 3 October 1893.
In April 1894, Wilson repurchased the hilltop lot he had sold to Captain Riley in 1890. The same month, he let out a contract for his future home to be built on this, the most prominent parcel in the tract. “It will when completed be distinctly seen from Oakland and San Francisco,” informed the Berkeley Herald on 13 June. The Wilsons moved into their new home on 31 July 1894. Designed and built by George Frederick Estey, it was intended as the future barn of a substantial residence that never came into being.

The house which they will occupy for the next few months is built in the Swiss cottage style and has just been completed at a cost of over $2000 by Fred Esty [sic], the contractor. It is the barn of the elegant residence soon to be erected, but is really very attractive in its appointments and as handsomely furnished as many more pretentious homes. [...] Mr. Wilson expects to commence on the house very soon and desires to be where he can give it his personal supervision.\textsuperscript{23}

\textsuperscript{23} Berkeley Advocate, 1 August 1894.
In effect, the Wilsons built the first “Simple Home” in the Berkeley hills, and they did so a year before Maybeck designed the iconic “Simple Home” for Charles Keeler, four years before the founding of the Hillside Club, and eight years before Keeler published his book *The Simple Home*. Wilson named his new house “Rosemond,” combining the first names of his wife, Rose, and his son, Raymond. A small and dapper man, he quickly settled into the role of civic benefactor. In 1895, when the U.C. Regents wished to illuminate the campus grounds with electric lighting, it was Wilson who subscribed half of the needed amount, on condition that other citizens provided matching funds.

Figure 51. Frank M. Wilson in his garden at 2400 Ridge Road (BAHA archives)

The following year, Wilson co-founded a floral society whose mission was “to encourage the cultivation of flowers, the beautifying of the gardens and public places of the town, and the study of the California flora,” and was elected its first president. The same year, he was a delegate to the Alameda County Republican Convention and co-headed a subscription fund in aid of famine victims in India.

In October 1898, Wilson formed the Scenic Park Realty Company, whose directors were himself, his wife and son, and businessmen John W. Richards and James Hewitt. At the time, Richards was president of the Town Board of Trustees.

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28 “Scenic Park Realty Company. Formed to conduct a real estate business.” *Sacramento Record-Union*, 5 October 1898, page 3.
Business sense and civic spirit united in 1900, when Frank Wilson offered U.C. president Benjamin Ide Wheeler a large parcel of land on Scenic Avenue, directly opposite his own house, and supervised the construction of Wheeler’s new residence. At the same time, Hearst Avenue was graded, and a retaining wall was built, including steps that enabled Wheeler to cross the street directly from his residence to the campus. About 1902, Wilson sold a large hilltop parcel to U.C. regent Phoebe Apperson Hearst and built for her a residence with a connecting reception hall adjacent to the Wheeler house.
Wilson and the Scenic Park Realty Company continued to be assessed for the Hearst and Wheeler properties, respectively, until the houses were sold to the next owners. The three buildings survived the 1923 fire and are still standing, as are rows of Washingtonia palms that Wilson planted along the entire length of Ridge Road and along several blocks of Scenic Avenue.

![Figure 54. John Galen Howard house, 2421 Ridge Road](image)

Wilson also financed U.C. campus architect John Galen Howard’s house on Ridge Road. The residences of Dean of Women Lucy Sprague and College of Commerce founder Adolph C. Miller completed the privileged hilltop enclave.

![Figure 55. Frank Wilson surrounded his home with the residences of university leaders. (Sanborn Maps, 1911)](image)
In 1901, Wilson chaired a citizens’ committee raising funds for the reception to welcome President McKinley in Berkeley.

Also in 1901, Wilson donated two ornamental stone pillars to the university. These were erected at the Euclid Avenue entrance to the campus. “For three years they stood guarding the entrance, but eventually they impeded traffic there”\(^{29}\) and it was necessary to remove them. They will be utilized elsewhere on the campus,” reported the San Francisco Call on 22 December 1904. Local residents and students were “highly indignant” at their removal, informed the Oakland Tribune on the same day.

When President Theodore Roosevelt visited Berkeley in 1903, Wilson was on the select receiving committee of seven men representing the town and the university. On that occasion, the Hearst Avenue median was planted with the famous “600 feet of ivy geranium” that were depicted in numerous picture postcards (see Fig. 52).

In 1904, Wilson was elected to the board of directors of the First National Bank of Berkeley and the Berkeley Bank of Savings, replacing F.K. Shattuck’s nephew, John Weston Havens, as vice-president. According to his obituary, Wilson’s friendship with Addison W. Naylor, William E. Woolsey, and John W. Richards led to his becoming an early stockholder in these banks.

\[\text{Figure 56. Scenic Park Realty Co. stock certificate signed by John W. Richards & Frank M. Wilson (Srciphiphily.com)}\]

On 4 November 1905, California Governor George Pardee appointed Frank Wilson a director of the California Institution for the Deaf and Blind. Wilson was a founder and officer of the Claremont Country Club, which was dedicated on 1 December 1904, and was elected as the club’s president in May 1906.

\(^{29}\) Until the late 1920s, cars were allowed to drive through the campus between Sather Gate and North Gate.
Frank Wilson continued to make his mark on Berkeley in 1913–14, when he and Oakland investor John Muldoon built the opulent T. & D. Theater (now the California Theater) on land they owned at 2113–2115 Kittredge Street. The theater building was leased to the Turner & Dahnken Theatrical Circuit.

The Wilsons were frequent travelers, both at home and abroad. Mrs. Wilson died on 5 February 1905 at the Fifth Avenue Hotel in New York. In 1907, Raymond Wilson married Edna MacFayden, and the young couple traveled to Paris. Upon their return, they settled in the paternal home with Frank Wilson and three live-in servants. Raymond worked as a research chemist.

Frank M. Wilson died on 12 December 1936. His son continued to live at Rosemond until his own death in 1969. The property was then acquired by the
American Baptist Seminary of the West and the San Francisco Theological Seminary, which sold it in turn to the Graduate Theological Union. In the mid-1970s, the GTU applied for permits to demolish the Wilson house and build a new Louis Kahn–designed library.\footnote{Graduate Theological Union. Library History. \url{http://gtu.edu/library/information/library-history}} Student and neighborhood groups, headed by the Committee to Save Maggie’s Farm,\footnote{Graduate Theological Union. The Radical Religion Collection. \url{http://gtu.edu/library/special-collections/archives/featured-collections-1/the-radical-religion-collection}} fought the project under the banner “Stop Institutional Creep,” but in 1977, a court decision ruled in favor of the GTU, and construction of the library began in 1979.

The Hillside Club

![Figure 59. A cluster of four Maybeck-designed houses on Ridge Road and Highland Place. L to r: Williston W. Davis house (1897); Charles A. Keeler house (1895); William P. Rieger house (1899); and Laura G. Hall house (1896). (Dimitri Shipounoff collection, BAHA archives)](image)

Beginning in mid-1890s, Daley’s Scenic Park attracted new residents who espoused John Ruskin’s and William Morris’s esthetic and moral ideals. Led by Bernard Maybeck and Charles Keeler, they built Arts & Crafts houses that were clad in unpainted shingles or clinker bricks. Surrounded by greenery, the houses blended into the hilly landscape, unlike the painted Victorians and Colonial Revival houses that stood out as foreign elements on the hillside.

In 1898, the female contingent of the neighborhood, including Mrs. Rose Wilson, founded the Hillside Club with the mission “to protect the hills of Berkeley from unsightly grading and the building of unsuitable and disfiguring
houses; to do all in our power to beautify these hills and above all to create and encourage a decided public opinion on these subjects.”

Not surprisingly, many of the most prominent Hillside Club members and early residents of Daley’s Scenic Park were Unitarians, including the Wilsons, the Maybecks, the Keelers, the Moodys, the Freemans, the Pierces, the Maurers, and the Henrys, among others. In Daley’s Scenic Park, they established the cradle of Berkeley’s Arts & Crafts architecture and “living with nature” creed. Most of the surviving houses they built are now designated landmarks.

The Moodys’ son-in-law, Edmund S. Gray, was instrumental in the hiring of architect A.C. Schweinfurth to design both the Moody house, Weltevreden (1896), 1755 Le Roy Avenue, and the First Unitarian Church (1898), on Dana Street at Bancroft Way.

By 19 May 1901, the San Francisco Call was able to report:

Some Berkeley houses that embody the tenets of the Hillside Club are: Mrs. Atterbury’s, Mrs. Dresslar’s, Miss Bridgman’s, Mrs. Walker’s and Mrs. Rickoff’s. The pretty Unitarian Church of Berkeley and the Hillside School will also be noted as successful specimens.

The house of Professor Charles Keeler, corner of Ridge road and Highland place, is the pioneer specimen of the architecture advocated by the Hillside Club—a charming, rambling, many-gabled structure, seeming to breathe both as to its exterior and artistic interiors the very atmosphere of the Berkeley hills.

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The Ridge-Euclid neighborhood in the early 20th Century

At the turn of the 20th century, the 1800 block of Euclid Avenue contained three houses: the Wilson and Clark houses, which would eventually be joined to create the Bennington Apartments, and the Scott house at 1809 Euclid Ave., which would be moved in 1902 to make room for the Northgate Hotel.

Figure 61. The two shaded structures are the Wilson and Clark houses, later joined to create the Bennington Apartments. To their south is the Northgate Hotel. (Sanborn map, 1903)

On the 2500 block of Ridge Road, there were two houses on the north side of the street and two on the south side. In 1902, the fledgling neighborhood received a major boost with the construction of the Northgate Hotel at 1809 Euclid Avenue and the Alpha Psi (later Psi Upsilon) fraternity house at 2501 Ridge Road. By 1905, the Sigma Alpha Epsilon chapter house opened at 2519 Ridge Road. Coast live oaks spread their canopies over the roadbed, and Frank Wilson’s young Washingtonia palms marched up the hill in orderly rows.
The Northgate Hotel, designed and built by A.W. Pattiani, stood on Euclid Avenue from 1902 until late 1936. It was surrounded by gardens and separated from the former Wilson and Clark houses by the north fork of Strawberry Creek, which meandered diagonally through the block. The hotel included a restaurant and catered to middle-class and professional families, as well as to students.
During the first decade of the 20th century, the neighborhood acquired several important buildings, including the Freeman house, **Allenoke** (Ernest Coxhead, 1903), 1777 Le Roy Ave.; **Cloyne Court Hotel** (John Galen Howard, 1904), 2600 Ridge Road; **Newman Hall** (Shea & Lofquist, 1908) at Ridge and La Loma; **College Hall** (1908) at Hearst and La Loma; and **Treehaven Apartments** (George W. Patton, 1909), 2523 Ridge Road.
Figure 66. Treehaven Apartments, 2523 Ridge Rd. & Pierce house, 2527 Ridge Rd.

Figure 67. Sigma Alpha Epsilon house, 2519 Ridge Rd. & Treehaven Apartments
By 1911, the 2500 block of Ridge Road was almost fully built. In addition to eight single-family homes, the block contained three fraternity houses, the 29-unit Treehaven Apartments, and the former house of James Scott at 2520 Ridge Road, converted into the 6-unit Inverness Apartments. By now, the former Wilson and Clark houses had been acquired by the W.W. Henry Investment Company, established by William and Mary Henry, proprietors of the Northgate Hotel.
William and Mary Henry

William Warner Henry (1839–1928), a native of Bennington, Vermont, sailed around the Horn from Boston to California in 1858. He worked as a farmhand in the Sacramento Valley, and later as a broom maker in San Francisco. Eventually he became a wholesale grocer and pursued this line business for many years. In 1873, he married Mary Rogers Merritt (1849–1926), and the couple had six children between 1875 and 1886. In 1890, a business downturn led to the family’s move to San Jacinto, where the Henrys ran a general store and planted a fruit orchard. After half-a-dozen years in the stagnant economy of Southern California, the Henrys returned to the Bay Area. The ups and downs of William Henry’s business might have taken their toll on the family’s well-being had not his indomitable wife—a hardy pioneer who had crossed the plains from Iowa at the age of 13, riding alongside the covered wagon on a small pony—kept the family going and paid for the children’s music and speech lessons by taking in boarders.

Figure 70. The Henry house at 2401 Le Conte Avenue (courtesy of Paul Roberts)

The Henrys first appeared in Berkeley in 1896, when their second daughter—Aurelia, later president of Mills College—was an undergraduate at Cal. The following year, they moved into a new house at 2401 Le Conte Avenue, across the street from Frank Wilson’s estate. Built by George Frederick Estey, the Henry house was a stately, turreted affair clad in shingles. It was large enough to

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33 “Father of Mills College Head Dies.” Berkeley Daily Gazette, 10 September 1928.

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accommodate the couple, the youngest four of their six children, five boarders, and a cook. The property was assessed to Thomas Franklin Dyer, a Maine banker who had also acquired several other Daley’s Scenic Park properties, including the Clark house at 1805 Euclid Avenue.

In 1902, the Henrys purchased the James Scott property (lots 4 and 5) at 1809 Euclid Avenue and built the Northgate Hotel. Scott moved around the corner, to 2520 Ridge Road. It’s highly likely that he took his house with him.

Like the Henrys’ previous house, the hotel appears to have been financed by Thomas F. Dyer and was assessed to him and his daughter, Lora Merrill. The Le Conte Avenue house was sold to Phoebe Apperson Hearst, who had purchased from Frank Wilson a sizable tract of land at the top of the hill (now occupied by the Pacific School of Religion). Wilson was about to begin construction of a temporary residence for her at 1816 Scenic Avenue, next to U.C. president Benjamin Ide Wheeler’s house. The Hearst house, soon to be turned into a university reception hall, was designed by Ernest Coxhead, who would add a companion residence for Mrs. Hearst at 2368 Le Conte Avenue. The former Henry house was intended for Mrs. Hearst’s servants. This time, too, the property would be assessed not to Mrs. Hearst but to the Scenic Park Realty Company.

The Henrys moved one block downhill, to their new hotel. William was 63 at the time, Mary ten years younger, but they would run the Northgate for 24 years, until Mary’s death in 1926. The Northgate was listed in the 1904 city directory as a private hotel and was later advertised as “A Select Family Hotel with Homelike Surroundings, 35 Minutes from San Francisco.”

The Northgate Hotel’s clientele consisted of middle-class and professional families, some of whom stayed on for decades. Victor J. Robertson, treasurer of the Commercial Publishing Co. and editor of the San Francisco Commercial News, boarded with the Henrys on Le Conte Avenue, moved with them to the Northgate, was still there in 1930, after both William and Mary had passed away, and later lived at the Bennington. Robertson was a prominent civic activist and longtime president of the Conference Committee of the Improvement Clubs of...
Berkeley, as well as heading the North Berkeley Improvement Club. In 1907, he initiated a campaign to check graft in Alameda County government and another for a new city charter. The following year, he called on the city to stop the Spring Construction Co. from blasting in the North Berkeley quarry (converted in the 1930s into the municipal Rose Garden). He was an ardent supporter of damming Hetch Hetchy Valley, cleaning up the city, improving public transportation, and beautifying Shattuck Avenue. He was strongly opposed to annexation of Berkeley by Oakland and advocated for joining a proposed Greater San Francisco.

Student tenants were expected to conform to Mrs. Henry’s notions of social propriety. Aurelia’s future mother-in-law, visiting from San Jacinto, observed a girl student who was not allowed to bring her visiting fiancé to the dinner table, because he didn’t have his dinner jacket with him.36

![Figure 72. Ad in the Berkeley Gazette, 14 February 1918](image)

While Mary Henry managed the hotel, her husband turned his attention to real estate and insurance. Berkeley’s swelling population in the wake of the 1906 earthquake must have improved his business, for in 1909 he erected a small office next to the hotel, at 1807 Euclid Avenue. Built by their former neighbor James Scott, this office was located directly over the north fork of Strawberry Creek. Later it would become a shop.

Around 1910, the Henrys formed the W.W. Henry Investment Company and began acquiring properties along the east side of Euclid Avenue, including the former Wilson and Clark houses. They moved into the Clark house but soon found a more lucrative way to utilize it.

Sometime after 1911, the creek behind the two houses was culverted, and in 1915 the houses were moved to the rear of their adjoining lots, reoriented, and attached back-to-back to form a six-unit apartment building facing Ridge Road. The Henrys called it the Bennington Apartments, after Mr. Henry’s hometown.

The conversion of the two houses, which placed the turreted, shingled Clark house at the front, included a new, below-grade, story clad in stucco. Unlike the 19th-century Shingle Style of the upper stories, the lower level was designed in the Arts & Crafts idiom, with First Bay Region Tradition architectural details such as arched doors and windows and sturdy round columns. The architect is not known, but similar columns can be seen on several houses designed by Walter H. Ratcliff, Jr.

The Euclid Avenue frontage vacated by the two houses remained undeveloped until 1929.

36 Hedley.
The Bennington Apartments became the home of Aurelia Henry Reinhardt in the summer of 1915, a year after the death of her husband, George Frederick Reinhardt, M.D. She had spent the intervening year at the Northgate Hotel, and in 1916 she was offered the presidency of Mills College and moved to Oakland.

In the early 1920s, the elderly William and Mary Henry relocated to their youngest daughter’s home at 559 Kenmore Avenue, Oakland. William W. Henry, Jr., who continued living at the Bennington Apartments, took over day-to-day management of the W.W. Henry Company. The properties listed under his management in the 1922 Berkeley directory were the Euclid Apartments, the Bennington, the Northgate Hotel, and the White Peacock restaurant and confectionery—all the businesses that were located on the east side of the block at that time.

Figure 73. Euclid Avenue in August 1920, seen from upper Ridge Road. Visible are the Northgate Hotel, William Henry’s insurance office, and the Bennington Apartments. (BAHA archives)
Aurelia Henry Reinhardt

The second child of William and Mary Henry, Aurelia Henry Reinhardt (1877–1948) graduated from the University of California in 1898. During her last two years as a Berkeley student, she lived in her parents’ boarding house at 1401 Le Conte Avenue. She taught at the Lewiston State Normal School in Idaho from 1903 to 1908. In 1905 she obtained a Ph.D. in English at Yale, and her translation of Dante’s *De Monarchia* won her a coveted European fellowship from the Association of Collegiate Alumnae, enabling her to travel abroad.

In 1909, she married Dr. George Frederick Reinhardt, the founding director of the University of California Health Services. After he died in 1914, Aurelia moved with her two little sons into the Northgate Hotel and taught English at U.C. When the Bennington Apartments opened in 1915, Aurelia settled there, remaining until the following year, when she was elected president of Mills College and moved to Oakland.
The Henry name was last linked with the Northgate Hotel in the 1928 directory. On 23 December 1936, the Oakland Tribune announced the hotel’s demise:

**ANCIENT** One of Berkeley’s famous early-day landmarks surrendered today before the march of time.

It is the old Northgate Hotel, built on the corner of Euclid and Hearst Avenues by W.W. Henry, father of Aurelia Henry Reinhardt, president of Mills College. It is being razed to make way for development of business property.

The hotel was operated for 35 years, during which time it was the home of many Berkeley notables, and of University of California faculty members. In 1926 the property was sold by Henry. It has been owned for the past three years by Charles V. Harris of Jerome, Ariz. He sold it to Henry Schwartz of Oakland, who is having it razed.

**Neighborhood development in the 1910s**

*Figure 76. The Northside seen from the Campanile under construction, January 1914. Annie’s Oak is visible in the center of Le Roy Avenue. (Berkeley Public Library)*

During the 1910s, the Northside was a district composed primarily of unpainted shingle-clad houses, as may be observed in Fig. 76 above. The few buildings that were not shingled were either stucco-clad apartment houses, Victorians such as 2527 Ridge Rd. and 2531 Ridge Rd., or Colonial Revival fraternity houses.
In block 11 there were few changes from the previous decade. The most significant additions were the Euclid Apartments (John Galen Howard, 1912), on the southeast corner of Euclid and Hearst, and the Glen Garry Apartments (Walter H. Ratcliff, Jr., 1912), on the southwest corner of Ridge and Le Roy. Both were elegant, stucco-clad buildings. The Glen Garry (seen just left of Annie’s Oak in Fig. 76, and in Fig. 78 below) featured “open fireplaces, sleeping porches and beautiful decorations.”37 Earl Morse Wilbur, president of the Pacific Unitarian School for the Ministry, resided at the Glen Garry Apartments, which were twice featured in The Architect and Engineer.

37 “Fine New Apartment House.” San Francisco Call, 23 November 1912.
Conversion of the Wilson and Clark houses into the Bennington Apartments reflected the growth of the university and anticipated the commercialization of Euclid Avenue, although the latter remained a quiet residential street until the mid-1920s.

An ad in the Berkeley Gazette in early October 1917 (Fig. 79) provided a description of the Bennington Apartments under Mary Henry’s management.

![Figure 79. Berkeley Daily Gazette, 1 October 1917](image)

The 1923 Fire and Its Aftermath

![Figure 80. Detail from Berkeley fire zone map, 17 September 1923. Bennington Apts. are shaded. (East Bay Water Company)](image)
Until 17 September 1923, the Northside consisted mainly of single-family homes, fraternity houses, and a few select apartment buildings. The west side of Euclid Avenue remained undeveloped until 1923. The fire devastated most of the Northside but left block 11 untouched.

In the fire’s aftermath, the Northside’s character changed dramatically, as brown-shingle houses were replaced with stucco-clad apartment buildings.

Figure 81. Remains of the first Garden Court Apartments, Sept. 1923
(Berkeley Public Library)

Development of the 1800 block of Euclid Avenue as a commercial strip began in early 1923. The fire zone map drawn by the East Bay Water Company (Fig. 80) shows only one building mid-block on the west side of Euclid Avenue: Euclid Court Apartments (1923), built by realtor William J. Mortimer, who was Oscar G. May’s son-in-law. The designer was G.F. Buckingham, a civil engineer who co-designed California Memorial Stadium with John Galen Howard. The superintendent of construction was William W. Henry, Jr.

In 1926, two more buildings went up: the Eucridge Apartments (J.E. Gray, owner-builder), 1808-1810 Euclid Ave., and the Ben Schapiro store building (Hugh Chester White, architect), 1854–1878 Euclid Avenue. The street frontage along the west side of Euclid Avenue was now fully built up with apartments and shops.

By 1929, block 11 was also fully built, with the exception of the northwestern corner vacated by the Wilson and Clark houses when they were moved in 1915 and transformed into the Bennington Apartments.
Figure 82. Euclid Court Apartments, Jan. 2016

Figure 83. The undivided Henry property included the Bennington Apartments (shaded), the Northgate Hotel, and a small store building. (Sanborn map, 1929)
On the 2500 block of Ridge Road, across from the Bennington, the 29-unit, stucco-clad Garden Court Apartments (Clarence Dakin, architect) were erected in 1924 to replace a smaller 1919 building at 1741 Euclid Ave. that was lost in the fire. Next door to the Garden Court, the old Sigma Alpha Epsilon house at 2519 Ridge Road had been remodeled into the three-story, stucco-clad Farnsworth Inn (later the Campus Inn, and now Hoyt Hall of the Berkeley Student Cooperative). On the east side of Treehaven, the old Pierce house, a Victorian at 2527 Ridge Road, was torn down in 1927 and replaced with the three-story, stucco-clad Slocum Hotel (now the BSC’s Stebbins Hall). The sole remaining 19th-century structure on the north side of the block was 2531 Ridge Road, constructed circa 1892 as a single-family home and converted in the late 1910s into a women’s boarding house known as North Gables.

On the south side of the block, the Inverness Apartments at 2520 Ridge Road had doubled in size, from six to 12 units.

Late 1920s Campus Growth and Traffic Pressures

In November 1927, the University of California had 17,003 registered students. In January 1928, U.C. announced a $6 million building program for that year. Already approved and soon to begin construction were the Life Sciences Building, the International House, and Bowles Hall.

Until that time, cars were allowed to drive through the campus between Sather Gate and North Gate. In the late 1920s, campus officials found that “the steady stream of automobiles menaced the lives of students, made it noisy in classes, and in many other ways had proved objectionable.” The university therefore “found it necessary to close the gate facing Euclid Avenue and divert traffic to the hill districts by way of College Avenue over a new road [Gayley] just below the Greek Theater and out to Hearst Avenue at La Loma Avenue.”

Berkeley merchants rose to the challenge of finding a solution to the looming traffic problem. They proposed that an underground tunnel be constructed under the U.C. campus. On 22 November 1928, 75 representatives of various property owners’ and merchants’ associations convened for a conference with university authorities to view and discuss three sets of plans for the tunnel, and “a resolution was passed, urging the City Council to employ a competent engineer to work out the traffic solution.”

The grandiose plan, which would have cost upwards of $700,000 in 1928 dollars, was never realized.

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Development of the Northgate Commercial District

The east side of Euclid Avenue’s 1800 block began to change its character in earnest in 1929, when Oakland architect Ray Francis Keefer designed for the Hannan & Scanlon real-estate investment company of San Francisco a Storybook Style complex of four stores on the land vacated by the Wilson and Clark houses. This brick-clad row at 1801-03-05-07 Euclid Avenue has the appearance of three separate buildings of different shapes and heights, cascading down the street, each with its own roofline but all featuring Spanish clay roof tiles. The entrance of 1803 Euclid Ave. is a picturesque pointed arch.

Among the first tenants in the Hannan & Scanlon building was a Piggly Wiggly market. An ad in the Berkeley Daily Gazette of 30 July 1929 called attention to the new store, which opened at 1807 Euclid Avenue on Saturday, 27 July. The ad promised “A brand new neighborhood pantry carrying everything needed for the daily meals such as Nationally Known Groceries, Fresh Fruits and Vegetables, and Fresh and Smoked Meats.”
The Charles V. Harris Era

In 1933, Charles Valentine Harris (1884–1987) acquired the Northgate Hotel and the Bennington Apartments. Harris was born in Illinois but spent decades as a dry goods merchant in Jerome, Arizona, a copper mining town that suffered a precipitous decline during the Great Depression.

Charles V. Harris was related to the Henry family by marriage: his elder daughter, Maryon, married Thomas A. Monahan, whose sister, Elizabeth, had married William W. Henry, Jr.

The Harris family lived at the Bennington for more than two decades. Maryon Harris Monahan (1908–2004), who divorced her husband, resided at the Bennington off and on during the 1930s and ’40s. In the mid-1940s, she joined the U.C. Library as a senior clerk, eventually rising to the powerful position of Library Business Officer. When she passed away, the library staff’s weekly newsletter eulogized her:

During her long tenure in the Berkeley libraries, she wore many hats. A well-traveled woman and a former military officer, she was a strong force who ran Doe Library like a well-commanded ship—a combination business manager, building manager, architect, security guard, designer and all-around problem solver.

She employed a full-time carpenter/painter/electrician and maintained a fully equipped shop in order to keep the building in beautiful condition: brass rails were polished daily, windows were washed regularly, and walls dinged by book-trucks were repaired and painted immediately. Donald Coney was University Librarian, Helen Worden was his associate, and Monahan worked beside both; together they ran a library, still in traditional mode, that was truly the heart of the campus.39

In 1936, Charles V. Harris sold the Northgate Hotel to Oakland developer Henry Schwartz, reserving for himself the rear portions of the two lots on which the hotel and the adjacent small shop building stood. Schwartz razed the hotel, which quickly gave way to new construction.

In January 1937, Henry Schwartz took out a permit to construct a one-story store building at 1839–41 Euclid Ave., on the front portion of the former Northgate Hotel site. Clad in glazed black tile with narrow decorative bands of stainless steel, this Streamline Moderne building was designed by Edward T. Foulkes (1874–1967), architect of Oakland’s Key Route Inn (1904), the Tribune Tower (1922), and Woodminster Amphitheater (1939).

Foulkes designed a second store building for Henry Schwartz and George Weiser at 1829 Euclid Avenue. Constructed in 1938, it is clad in glazed tiles in two shades of green.

The two adjacent Streamline Moderne store buildings built by Schwartz completed the Northgate commercial district and remain the most recent constructions on the 1800 block of Euclid Avenue.

http://www.lib.berkeley.edu/AboutLibrary/CUNews/cu_100704.html
The Great Flood of February 1940

Figure 86. Schwartz store buildings, 1829 & 1839–41 Euclid Ave., Jan. 2016

Figure 87. Schwartz store building, 1839–41 Euclid Ave., 1940 (Reid family collection, Berkeley Historical Society)
In the predawn hours of Wednesday, 28 February 1940, a violent cloudburst unleashed an unusually heavy rainstorm on Berkeley, precipitating a flood that wreaked havoc on Euclid Avenue. The underground culvert channeling the north fork of Strawberry Creek burst under Reid’s American Pharmacy No. 3, laying waste to the store and sending debris-laden mudslides down Hearst Avenue as far as downtown. The flood also affected the Bennington Apartments, whose ground floor is situated below grade, and the tenants were forced to evacuate their apartments.

The same evening, the Berkeley Gazette reported on page one:

**Silt Covers Wide Downtown Area; 35 Slides**

A shocked and stunned Berkeley paused today to survey the wreckage left by the torrential downpour that before dawn this morning caused between $100,000 and $150,000 damage in this community alone.

Hardest struck was a portion of the business area at Hearst and Euclid Aves., where a subterranean culvert carrying the north branch of Strawberry creek actually “exploded” under the corner drug store of H.L. Reid, 1878 Euclid Ave.

A 17-block section of the downtown business area was covered with inches of slippery yellow mud and debris when the creek waters poured...
through gaping holes in the side of the drug store, raced down Hearst Ave. in a muddy river and made two roaring turns to reach University Ave. and spread along Shattuck Ave. as far south as Allston Way.

The pharmacy was completely wrecked and silt marks stood three feet high on the walls and fixtures in three adjacent stores.\(^{40}\)

The following day, the *Gazette* reported that on the afternoon of the 28\(^{\text{th}}\), a slight seepage had been noticed in the basement of the Bennington Apartments.

Late in the afternoon a veritable geyser broke loose under the apartments and occupants of the first floor found their rooms flooded.

Mrs. Don Warhurst, in apartment six, suddenly found her entire apartment under water. She screamed for help, caught up her six-month-old infant and fled. Her husband is a University student.

Mrs. Alex Hastie and her daughter, Miss Kathleen Hastie, University student, suddenly found their apartment entirely under water. In a few minutes their apartment was turned into a swiftly flowing stream, the water reaching the depth of more than three feet. Some of the furniture and books were washed out windows.\(^{41}\)

![Fifteen occupants of the Bennington Apartments, 2508 Ridge Rd., evacuated the nine apartments last night when it was feared that a repetition of the terrific downpour of early yesterday morning might topple the building.](image)

*Figure 89. Berkeley Gazette, 29 February 1940*

Fire Chief John S. Eichelberger and City Engineer Harry Goodridge “worked out a plan of diverting part of the heavy flow of water by the construction of a dam on Le Roy Ave. between Le Conte Ave. and Ridge Rd.,” reported the *Gazette*.

Standing in mud and water, in some places up to their waists, firemen and street department men erected a dam. Engine Company No. 2, stationed on Le Roy Ave., pumped steadily all night. Meanwhile, firemen and street department men tugged 10-inch pipe up the steep creek bed and laid more than 400 feet of it. They completed the job in a terrific downpour of rain about 2:30 am.

Sandbags were placed on the north side of Le Conte Ave. to protect houses there and soon the stream of water flowing with the roar of a huge waterfall through the lower part of the Bennington Apartments was lowered.

This morning when it became evident that this emergency storm sewer would not be sufficient, a second pipe line of nearly 500 feet was laid, diverting the water to other streets to relieve the pressure on Le Conte Ave.

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In 1948, University of California enrollment at the Berkeley campus reached 22,000 students, making adequate housing the number-one problem facing the student body. That year, the California Alumni Association published the book *Students at Berkeley*, which contained a large chapter devoted to housing and analyzed potential student housing sites.

The Northside was judged unsuitable for student housing owing to “very unfavorable topography” and “remoteness from the center of student activities.” Older buildings—the Victorian and Colonial Revival houses that are now considered historic resources—were also deemed inadequate for student habitation.

As an example of “adaptation of old and unsuitable buildings,” the book displayed two photographs of Victorians, one of which was the North Gables boarding house at 2531 Ridge Road. The 19th-century houses were unfavorably compared with the university-owned and -operated Stern Hall, built in 1942.
The 1962 Long-Range Development Plan (LRDP) for the campus proposed new university buildings to be constructed on four Northside city blocks facing the campus between Highland Place and Scenic Avenue. Existing structures—public or private—were to be demolished, including the historic Cloyne Court Hotel, North Gate Hall, and Drawing Building, all designed by John Galen Howard, and the former Beta Theta Pi chapter house, designed by Ernest Coxhead.

On the Southside, the housing development suggested in 1948 by the Alumni Association dictated a radically clean sweep of the twenty city blocks between College Avenue, Bancroft Way, Fulton Street, and Dwight Way.

Miraculously, the sweep wasn’t quite as radical as intended, and many historic buildings on both sides of the campus were spared. On the Northside, Cloyne Court Hotel, North Gate Hall, the Drawing Building, Beta Theta Pi, and many pre-1923 residences were eventually designated as city landmarks. North Gables at 2531 Ridge Road has not only survived but continues to house students to this day.
Figure 92. The former Henry property, redrawn (Sanborn map, 1950)

Figure 93. Euclid Avenue, 1950s (Berkeley Historical Society)

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Institutional Expansion from the 1960s to 2015

The 1960s had a profound effect on the Northside. During that decade, the character and appearance of block 11 changed dramatically. Beginning in the late 1950s, the University of California Regents commenced a systematic program of property acquisitions in the block. These acquisitions included single-family homes, flats, rooming and boarding houses, apartments, and fraternity houses—13 structures on 12 lots, or two-thirds of the block’s area. The old buildings were razed, and the first U.C. building, the 193,119-square-foot Etcheverry Hall, was constructed in 1964.

In 1967, Rue-Ell Enterprises, who had acquired the Bennington Apartments four years earlier, purchased the Japanese Women’s Student Club, 2509 Hearst Avenue, which was located directly to the south of the Bennington. The house, which had been condemned in 1964, was razed and replaced with the Hearst Food Court. The vacated lots to the east of Etcheverry Hall served as parking and later as a volleyball court for U.C. students until 1994, when Soda Hall was built. In 2015, the latest U.C. building, Jacobs Hall, was completed on the remaining open space north of Soda Hall.

The same trend could be observed along blocks to the east and to the west of block 11. Three seminal Maybeck houses on Highland Place and Ridge Road were torn down in the 1960s to make way for apartment blocks. The same fate befell the house of William Keith’s widow, Mary McHenry Keith, at 2701 Ridge Road. The house of Mrs. Keith’s brother-in-law, Rear Admiral Charles Fremont Pond, formerly at 2621 Ridge Road, was replaced by a modern Beta Theta Pi chapter house, now the Jesuit School of Theology’s Chardin Hall. A U.C. parking structure and lot replaced the historic Newman Hall, College Hall, and the Phi Kappa Psi chapter house.

The 1960s were a time of strong anti-Greek sentiment in Berkeley, and most of the Northside fraternal chapters were forced by the university to move to the Southside. Their houses were taken over by theological schools and the University Students’ Cooperative Association (USCA) or acquired by the U.C. Regents and torn down.

The character of the Northgate commercial district changed, too. Sixty years ago, there were no fewer than four laundries and/or dry cleaners on the west side of Euclid Avenue alone. Not a single one remains. Also gone are the full-service grocery stores and the pharmacies, the cinema and the bookstore. The avenue is now predominantly lined with cafés and eateries catering to the campus lunch crowd.

Of the six pre-1923 buildings still standing on the 2500 block of Ridge Road, three have been altered beyond recognition. North Gables, the significantly modified but still recognizable Victorian at 2531 Ridge Road, is the only other remnant from the 1890s. The first decade of the 20th century is represented by the very badly altered Blossom house (1904) on the corner of Le Roy Avenue, and by the intact four-story Treehaven Apartments, at 2523 Ridge Road.
On this radically transformed block, the Bennington Apartments serve as a palpable reminder of Daley’s Scenic Park’s earliest days.

16. Significance

**Consistent with Section 3.24.110A.1.a.**, the Bennington Apartments possess architectural merit. Constructed from the joining of two houses built circa 1892, it is—alongside 2531 Ridge Road—the oldest surviving structure in Daley’s Scenic Park.

Owing to the age of its component houses, the Bennington is one of the three oldest known brown-shingle buildings in Berkeley, the others being the Anna Head School’s Channing Hall and the greatly altered Maybeck House No. 1.

**Consistent with Section 3.24.110A.1.b.**, the Bennington Apartments combine a rare 19<sup>th</sup>-century Shingle Style street façade with Arts & Crafts elements along its west elevation, including notable architectural details such as a circular stucco wall, handsome glazed doors and arched windows, robust tapered columns, and flared brick chimneys. This highly unusual hybrid style is unique on the Northside and very likely in all of Berkeley.

**Consistent with Section 3.24.110A.4.**, the Bennington Apartments possess historic value. The building is the only extant relic of 19<sup>th</sup>-century Euclid Avenue.

The first owner of one of the Bennington Apartments’ component houses was Frank M. Wilson, proprietor and chief promoter of the Daley’s Scenic Park tract, a civic and business leader, and a patron of charities, the arts, and the University.
of California. Wilson was closely associated with U.C. president Benjamin Ide Wheeler, U.C. regent Phoebe Apperson Hearst, and U.C. campus architect John Galen Howard, all of whom became his immediate neighbors.

The Bennington Apartments were constructed by William W. and Mary Henry, pioneers in the early commercial development of Euclid Avenue and the parents of Aurelia Henry Reinhardt, who herself was a resident of the Bennington Apartments from the time the building opened in 1915 until she was elected president of Mills College in 1916 and moved to Oakland. The Bennington Apartments retain integrity of location, design, materials, feeling, and association.

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

17. Is the property endangered? No.

18. Reference Sources


Building permits. BAHA.

Alameda County assessment records. BAHA.

Berkeley and Oakland directories. BAHA; Ancestry.com.

Sanborn Fire Insurance maps. BAHA.

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


Thompson, Daniella. Northside Landmarks. BAHA website.  
http://berkeleyheritage.com/berkeley_landmarks/northside.html

http://berkeleyheritage.com/eastbay_then-now/bennington.html

http://berkeleyheritage.com/eastbay_then-now/hearst-reed.html

http://berkeleyheritage.com/eastbay_then-now/north_gables.html

http://berkeleyheritage.com/eastbay_then-now/pierce.html


All color photographs by Daniella Thompson unless otherwise credited.

**19. Recorder:**

Daniella Thompson  
2663 Le Conte Avenue  
Berkeley, CA 94709

**Date:** January 2016
Planning and Development Department
Land Use Planning Division

Rue Ell Enterprises Inc
2437 Durant Ave
Berkeley, CA 94704

December 23, 2015

Re: Property owner notice of initiation of landmark designation consideration

This letter is to inform the owners of the property located at 2508 Ridge Road that on December 3, 2015 the Landmarks Preservation Commission (LPC) initiated consideration of said property for designation as a City of Berkeley Landmark or Structure of Merit (Yes: Beil, Belser, Brown, Hall, Linvill, Shenoy, Olson; No: none; Abstain: Schwartz, Suczynski-Smith; Absent: none)

Application materials are posted online at: http://www.cityofberkeley.info/Planning_and_Development/Land_Use_Division/Current_Zoning_Applications_Log.aspx

Pursuant to Berkeley Municipal Code (BMC) Section 3.24.100, the landmark application includes a description of the characteristics which justify designation and a description of the features that should be preserved, and the boundaries of the site.

Pursuant to BMC Section 3.24.130, a public hearing shall be held within seventy days of initiation. A public hearing on the designation is therefore anticipated to be scheduled for the February 4, 2016 Landmarks Commission meeting. Pursuant to BMC Section 3.24.140, a notice of the public hearing shall be posted on or adjacent to the property involved and mailed to owners and occupants within three hundred feet of the property, not less than ten days prior to the date of the hearing.

Please contact Sally Zarnowitz, Secretary to the Landmarks Preservation Commission at 510.981.7410 or szarnowitz@CityofBerkeley.info with any questions regarding this application.

Sincerely,

[Signature]

Sally Zarnowitz, AIA, LEED AP, Principal Planner
HH. 2414 Shattuck Avenue (CO 11/16/10)
IJ. Terminal Place (alley) (CO 11/16/10)
JJ. 2041 University Avenue (CO 11/16/10)
KK. 2044 University Avenue (CO 11/16/10)
LL. 1907 Walnut Street (CO 11/16/10)
MM. 1922 Walnut Street (CO 11/16/10)
NN. 1925 Walnut Street (CO 11/16/10)
OO. 1930 Walnut Street (CO 11/16/10)
PP. 2482-2498 Telegraph Avenue and 2445-2449 Dwight Way (CO 12/7/11)
QQ. 2301-2315 Telegraph Avenue / 2445-2449 Dwight Way (CO 12/7/11)
RR. 2328-2346 Telegraph Avenue / 2441-2447 Durant Avenue (CO 12/7/11)
SS. 2400-2402 Telegraph Avenue / 2486-2498 Channing Way (CO 12/7/11)
TT. 2410-2422 Telegraph Avenue (CO 12/7/11)
UU. 3049 Adeline Street (CO 3/12/12)
VV. "Manoa Historic District"- 2530 Dwight Way, 2524 Dwight Way, 2503 Regent Street, 2509 Regent Street, 2511 Regent Street, 2515 Regent Street, 2517 Regent Street, 2506 Dwight Way, 2502 Dwight Way/2501 Telegraph Avenue, 2512-2516 Regent Street/2525 Telegraph Avenue (CO 3/12/12)
WWW. 1400 Sixth Street (CO 6/7/13)
XX. 1409 Scenic Avenue (CO 9/3/15)
YY. 2508 Ridge road (CO 12/03/15)

Motion Carried: Olsen, Hall
Action: Initiate landmark designation for 2500 Ridge Road
Vote: 7-0-2-0 (Abstained: Schwartz, Suczynski-Smith)

http://www.cityofberkeley.info/ContentDisplay.aspx?id=62826
Projects proposing of buildings greater than forty years old
A. Non-Residential Structures (LPC referral / BMC Section 23C.08.050)
   ZP2014-0045  (1950 Addison)
   ZP2015-0007  (2129 Shattuck)
   ZP2015-0021  (810-824 University)
   ZP2015-0043  (1500 San Pablo)
   ZP2015-055   (2025 Center)
   ZP2015-0096  (2556 Telegraph)
   ZP2015-0138  (650 Cedar)
   ZP2015-0177  (2902 Adeline)
   ZP2015-0014  (2121 Durant/ 2121 Bancroft)

B. Residential Structures
   ZP2015-0015  (1940 Haste)
   ZP2015-0087  (1310 Haskell)
   ZP2015-0141  (1030 Grayson)
   ZP2015-0196  (1336 Milvia)
   ZP2015-0160  (2214 MLK Jr Way)
   ZP2015-0183  (1222 Sixty-Sixth)
   ZP2015-0180  (1524 Stuart)
   ZP2015-0032  (2510 Tenth)
   ZP2015-0045  (2813 Eight)

17. NOTICE CONCERNING LEGAL RIGHTS
   If you object to a decision by the Landmarks Preservation Commission to approve or deny a
   ** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.
Date: Thursday, February 4, 2016  
Time: 7:00 p.m.  
Place: North Berkeley Senior Center, 1901 Hearst Avenue

The Landmarks Preservation Commission (LPC) packet is available for review at the Berkeley Main Library (2090 Kittredge St.) and the Permit Service Center (2120 Milvia St.).

The Commission consists of nine members appointed by City Council: 
Christopher Linvill, Chair  
Tom Beil, Vice-Chair  
Dmitri Belser  
Shannon Brown  
Austene Hall  
Carrie Olson  
Paul Schwartz  
Kiran Shenoy  
Kim Suczynski Smith

ADA DISCLAIMER
This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6342 (V) or 981-6345 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

For inclusion in the Commissioners’ agenda packet, please submit written comments by Wednesday the week prior to the meeting. One set of “late communications” will be distributed to the Commissioners two days before the meeting. Please submit any material for distribution as “late communications” no later than 12 noon on the Tuesday prior to the meeting. Please be advised: Commissioners do not have an opportunity to read written materials handed out at the meeting.

Correspondence and Notice of Decision Requests
• To distribute correspondence to Commission members prior to the meeting date -- submit comments by 12:00 noon, seven (7) days before the meeting. Please provide 15 copies of any correspondence with more than ten (10) pages or if in color or photographic format. This method is strongly preferred.
• Correspondence received by 4:00 pm the Tuesday before the meeting will be posted on the Commission web site for review by the Commission and public prior to the meeting. Correspondence received later, and after the meeting, will be posted to the web site following the meeting.
• Any correspondence received after this deadline will be given to Commission members on the meeting date just prior to the meeting.
• Staff will not deliver to Commission members any additional written (or e-mail) materials received after 12:00 noon on the day of the meeting.
• Members of the public may submit written comments themselves at the meeting. To distribute correspondence at the meeting, please provide 15 copies and submit to the Landmarks Preservation Commission Secretary. Please be advised: You are strongly advised to submit written comments prior to the meeting date as Commission members do not have an opportunity to read written materials handed out at the meeting.
• Written comments or request for a Notice of Decision should be directed to the Landmarks Preservation Commission Secretary.

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.

Contact:
Landmarks Preservation Commission Secretary
(510) 981-7410 | szarnowitz@cityofberkeley.info | 2120 Milvia Street, Berkeley CA 94704

Request for initiation of Landmark or Structure of Merit designation on a future agenda lies within the range of action to be considered on each structure or property appearing at any place on the agenda.

Consent Calendar: The Consent Calendar allows the Commission to take action, without discussion, on Agenda items for which there are no persons present who wish to speak, and no Board members who wish to discuss. The Consent Calendar may include the following: (1) Approval of previous meeting minutes; (2) Items being continued to another meeting (action will be postponed to another meeting) or withdrawn by the applicant; and (3) Items noticed for public hearing which the Commission decides to move to the Consent Calendar. The Chairperson will announce any additional items proposed for the Consent Calendar at the beginning of the meeting. Anyone present who wishes to speak against one of these items should advise the Chairperson if they request the item be pulled from the Consent Calendar.

PRELIMINARY MATTERS

1. ROLL CALL Please put all cellular phones and ringers on silent during the meeting.
   Belser, Absent

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.
2. **EX-PARTE COMMUNICATIONS:** In the context of adjudicative matters that come before the LPC, ex-parte communications are those which occur outside of the formal hearing process. LPC members should avoid ex-parte contacts on matters pending before the LPC as much as possible, as they may represent, or be perceived to represent, the receipt of evidence that can unfairly influence a decision on a matter before the Commission. If such contacts do occur, they must be placed in the record and disclosed to all interested parties sufficiently in advanced of the decision to allow rebuttal.

3. **PUBLIC COMMENT on Non-Agenda and Information Items** (Three minutes per person; five minutes per organization, or at the discretion of the Chair)

4. **AGENDA CHANGES**
   A. Consent Calendar
   B. Other Changes

5. **AGENDA ITEMS**

6. **PUBLIC HEARINGS**
   A. **2508 Ridge Road Landmark Initiation**
      Landmarks Preservation Commission Landmark Initiative (LMIN#2015-0004) to consider designation of the structure located on the above property as a City of Berkeley Landmark. **CEQA:** Exempt
      **Public Comment:** 7
      **Motion Carried:** Schwartz, Olson
      **Action:** Approve Designation as Landmark with findings as presented
      **Vote:** 8-0-0-1; Absent: Belser

7. **DISCUSSION/COMMENT**
   A. **2129 Shattuck Avenue**
      1) **Review and Comment on Draft EIR** for a project to construct a new 16-story mixed-use high-rise project; containing a hotel, residential condominiums, and new banking facilities, as well as office, retail/restaurant space; on the existing Bank of America site.

      2) **Comment on Preliminary Design Review (PDR)** of the project.

B. **Discussion re: Process for Potential Landmark Initiations**
   AdHoc Subcommittee to discuss Initiation Forms

C. **Discussion re: Short-term rental regulations**

**BUSINESS ITEMS**

2. **AD HOC Subcommittee or Liaison Comments:** Opportunity reports on status of projects for which the LPC has established a subcommittee or liaison. (Note: Site will come off the subcommittee list upon approval of a Certificate of Occupancy)
   A. **ZAB Design Review Committee (AH)**
   B. **Survey (AH, CL, PS)**
   C. **2211 Harold Way (The Residences at Berkeley Plaza) (AH, PS, TB)**
   D. **Berkeley Post Office (AH, SB)**
   E. **BESO Subcommittee (AH, CL, SB)**
   F. **Berkeley Rose Garden (TB, PS, KSS)**

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.
G. BART Plaza (AH, DB, CO)
H. Brookside Gate (TB, CO, AH)

8. Action Minutes**
   A. January 7, 2016 Meeting Action Minutes
      Motion Carried: Olson, Schwartz
      Action: Approve
      Vote: 8-0-0-1; Absent: Belser

INFORMATION REPORTS Commissioners may ask for discussion to be scheduled on a future agenda (per Brown Act, no deliberation or final action may be taken).

9. Communications
   A. California Preservation Foundation (CPF)

10. Chair Report
    A. Preservation Month

11. Staff Announcements

12. Future Council Calendar Items
   2532 Durant Avenue SAP NOD Pending ZAB Use Permit NOD
   2597 Telegraph Avenue SAP NOD Pending ZAB Use Permit NOD
   2556 Telegraph Avenue LMIN NOD February 23, 2016

13. POTENTIAL INITIATIONS
   The Commission may establish and maintain an ongoing list of structures, sites and areas having a special historical, architectural or aesthetic interest or value. After public hearings, the Commission may initiate landmark and historic district designations from the list.
   A. 2362 Bancroft Way-Trinity United Methodist Church (3/1/99)
   B. Berkeley High School, Building C, 1920; W. C. Hayes (LE 9/13/99)
   C. John Galen Howard Power Station, UC Campus (CO 4/3/00)
   D. McCauley Foundry at Carleton and 7th Streets (4/3/00)
   E. UC Storage Station, James Plachek, Architect (4/3/00)
   F. "Kittredge Street Historic District" - 2124 Kittredge Street (Elder House and storefront), 2138 Kittredge (Fitzpatrick House and storefront), and 2117 Kittredge Street (A.H. Broad House and storefront) (JK 11/5/2001)
   G. 1842-1878 Euclid Avenue (CO 9-14-07)
   H. Berkeley High School Campus Historic District (SW 1/3/08)
   I. 2746 Garber Street (SW 3/5/09)
   J. 1950 Addison Street (CO 11/16/10)
   K. 2070 Addison Street (CO 11/16/10)
   L. 100 Berkeley Square (CO 11/16/10)
   M. 124 Berkeley Square (CO 11/16/10)
   N. 134 Berkeley Square (CO 11/16/10)
   O. 1901 Bonita Avenue (CO 11/16/10)
   P. 1920 Bonita Avenue (CO 11/16/10)
   Q. 2132 Center Street (CO 11/16/10)
   R. 1940 Channing Way (CO 11/16/10)
   S. 2121 Durant Avenue (CO 11/16/10)
   T. 1920 Haste Street (CO 11/16/10)
U. 2113 Kittredge Street (CO 11/16/10)
V. 2124 Kittredge Street (CO 11/16/10)
W. 2138 Kittredge Street (CO 11/16/10)
X. 1905 Martin Luther King Jr. Way (CO 11/16/10)
Y. 2122 Shattuck Avenue (CO 11/16/10)
Z. 2150 Shattuck Avenue (CO 11/16/10)
AA. 2168 Shattuck Avenue (CO 11/16/10)
BB. 2177 Shattuck Avenue (CO 11/16/10)
CC. 2225 Shattuck Avenue (CO 11/16/10)
DD. 2257 Shattuck Avenue (CO 11/16/10)
EE. 2270 Shattuck Avenue (CO 11/16/10)
FF. 2274 Shattuck Avenue (CO 11/16/10)
GG. 2281 Shattuck Avenue (CO 11/16/10)
HH. 2414 Shattuck Avenue (CO 11/16/10)
II. Terminal Place (alley) (CO 11/16/10)
JJ. 2041 University Avenue (CO 11/16/10)
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WW. 1400 Sixth Street (CO 6/7/13)
XX. 1409 Scenic Avenue (CO 9/3/15)

http://www.cityofberkeley.info/ContentDisplay.aspx?id=62826

Projects proposing demolition of buildings greater than forty years old

A. Non-Residential Structures (LPC referral / BMC Section 23C.08.050)

| ZP2014-0045 | (1950 Addison) |
| ZP2015-0007 | (2129 Shattuck) |
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| ZP2015-0043 | (1500 San Pablo) |
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| ZP2015-0096 | (2556 Telegraph) |
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| ZP2015-0014 | (2121 Durant/ 2121 Bancroft) |

B. Residential Structures

| ZP2015-0015 | (1940 Haste) |
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| ZP2015-0141 | (1030 Grayson) |
| ZP2015-0196 | (1336 Milvia) |

** Indicates that the Landmarks Preservation Commission received documents (notices of decision, staff reports, application materials or correspondence) as part of the packet that was delivered prior to this meeting.
ZP2015-0160    (2214 MLK Jr Way)
ZP2015-0183    (1222 Sixty-Sixth)
ZP2015-0180    (1524 Stuart)
ZP2015-0032    (2510 Tenth)
ZP2015-0045    (2813 Eight)
ZP2015-0177    (1946 Russell)

15. NOTICE CONCERNING LEGAL RIGHTS
If you object to a decision by the Landmarks Preservation Commission to approve or deny a designation or permit for a project, the following requirements and restrictions apply:

1. You must appeal to the City Council within fourteen (14) days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to notify the Current Planning Division in writing to receive a Notice of Decision when it is completed.

2. Pursuant to Code of Civil Procedure, Section 1094.6(b), no lawsuit challenging a City Council decision to deny a permit or variance 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), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

3. Pursuant to Government Code, Section 65009(c)(5), no lawsuit challenging a City Council decision to approve (with or without conditions) a permit or variance 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), which has been adopted by the City. Any lawsuit not filed within that ninety (90) day period will be barred.

4. If you believe that this decision or any condition attached to it denies you any reasonable economic use of the subject property, was not sufficiently related to a legitimate public purpose, was not sufficiently proportional to any impact of the project, or for any other reason constitutes a “taking” of property for public use without just compensation under the California or United States Constitutions, the following requirements apply:
   A. That this belief is a basis of your appeal.
   B. Why you believe that the decision or condition constitutes a “taking” of property as set forth above.
   C. All evidence and argument in support of your belief that the decision or condition constitutes a “taking” as set forth above. If you do not do so, you will waive any legal right to claim that your property has been taken, both before the City Council and in court.

16. ADJOURN
The Senior Center closes at midnight and the meeting must adjourn by 11:45 p.m.
# INDEX TO ADMINISTRATIVE RECORD

## 2508 RIDGE ROAD

Landmark Initiation LMIN2015-0004

Prepared: September 8, 2016

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<td>LPC Materials: staff report, attachments, late item and speaker cards</td>
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<td>Letter from City Clerk</td>
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Administrative Record
LPC Appeal:
2508 Ridge Road

This attachment is on file and available for review at the City Clerk Department, or can be accessed from the City Council Website. Copies of the attachment are available upon request.

City Clerk Department
2180 Milvia Street
Berkeley, CA 94704
(510) 981-6900

or from:

The City of Berkeley, City Council’s Web site
http://www.cityofberkeley.info/citycouncil/
NOTICE OF PUBLIC HEARING - BERKELEY CITY COUNCIL
COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY,
BERKELEY, CA

2508 RIDGE ROAD (BENNINGTON APARTMENTS)

Notice is hereby given by the City Council of the City of Berkeley that on OCTOBER 25, 2016 at 7:00 PM a public hearing will be conducted to consider an appeal against a decision of the Landmarks Preservation Commission (LPC) to designate the Bennington Apartments at 2508 Ridge Road as a City of Berkeley Landmark.

A copy of the agenda material for this hearing will be available on the City’s website at www.CityofBerkeley.info as of October 13, 2016.

For further information, please contact Fatema Crane, Senior Planner, at 510-981-7413 or visit the Landmarks Preservation Commission website: http://www.ci.berkeley.ca.us/Planning_and_Development/LPC_and_DRC/LPCProj020416.aspx

Written comments should be mailed or delivered directly to the City Clerk, 2180 Milvia Street, Berkeley, CA 94704, in order to ensure delivery to all Councilmembers and inclusion in the agenda packet.

Communications to the Berkeley City Council 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 the City Council, 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 City Clerk. 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 City Clerk at 981-6900 or clerk@cityofberkeley.info for further information.

__________________________________
Mark Numainville, City Clerk

Mailed: October 11, 2016

NOTICE CONCERNING YOUR LEGAL RIGHTS: If you object to a decision by the City Council to approve or deny (Code Civ. Proc. §1094.6(b)) or approve (Gov. Code 65009(c)(5)) an appeal, the following requirements and restrictions apply: 1) Pursuant to Code of Civil Procedure Section 1094.6, no lawsuit challenging a City decision to deny or approve a Zoning Adjustments Board decision may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a Zoning Adjustments Board decision, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.

If you challenge the above 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 City of Berkeley at, or prior to, the public hearing. Background information concerning this proposal will be available at the City Clerk Department and posted on the City of Berkeley webpage at least 10 days prior to the public hearing.