



LANDMARKS PRESERVATION COMMISSION

STAFF REPORT

FOR COMMISSION ACTION
AUGUST 6, 2020

1915 Berryman Street – The Payson House

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

I. Application Basics

A. Land Use Designations:

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

B. CEQA Determination:

Exempt from environmental review pursuant to CEQA Guidelines Section 15061

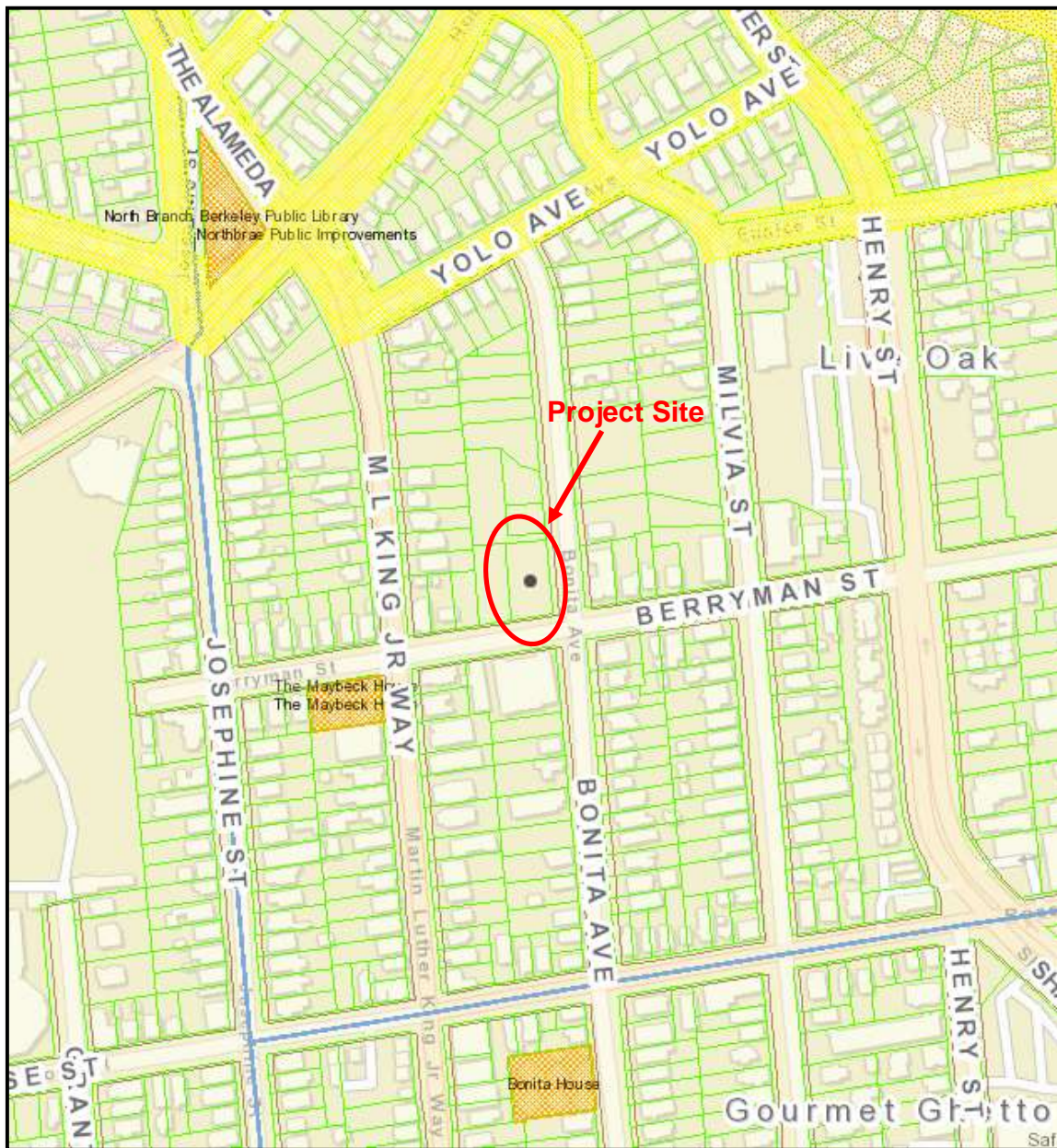
C. Parties Involved:

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

D. Staff Recommendation:

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

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



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

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



(Photo by Hulbert)

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



(Photo by Thompson)

Figure 5: Subject property, current conditions – west facade



(Photo by Thompson)

II. Application Chronology

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

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

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

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

IV. Property Description

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

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

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

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

IV. Historic Resource Status

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

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

V. Analysis and Evaluation

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

Historic Context¹. Given its 1889 date of completion and type of construction (e.g.: residential/single-family), the subject site is associated with the theme of residential development and the early development of Berkeley, generally. Its period of significance is understood to have begun with its construction in 1889, and estimated to have lasted until the time of its first documented structural alteration in 1925.

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

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

Landmark criteria – Architectural Merit. The subject property could be measured against the LPO designation criteria for *noteworthy work of a master builder* (BMC Section 3.24.110.A.1.b) owing to Thompson's assessment that it is notable within the body of Lord and Boynton's surviving work because it is an unadorned residential design that seemingly reflects the Unitarian spirit of its commissioning owner. Because Lord and Boynton's extant residential buildings – including the recently-designated Queen Anne residence at 2328 Channing Way² – are exceptionally decorative, this assessment is accurate.

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

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

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

The Payson House has discernable character and feeling, and a direct association with the building firm Lord and Boynton; but it possesses limited other aspects of integrity. Most importantly, it lacks the aspects of design, materials and workmanship³ that are necessary for any structure to exhibit historical significance related to its architecture.

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

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

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

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

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

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

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

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

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

VI. Recommendation

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

Attachments:

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

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