



Office of the City Manager

INFORMATION CALENDAR

Sept 19, 2006

To: Honorable Mayor and
Members of the City Council

From:  Phil Kamlarz, City Manager

Submitted by: Dan Marks, Director, Planning and Development Department

Subject: LPC NOD: 2411 Fifth St – Structure of Merit Designation

INTRODUCTION

The attached Landmark Preservation Commission's (LPC) Notice of Decision (NOD) is submitted to the Mayor and City Council pursuant to Berkeley Municipal Code (BMC) Section 3.24.160, which states that "A copy of the Notice of Decision shall be filed with the City Clerk and the City Clerk shall present said copy to the City Council at its next regular meeting. (Ord. 4694-NS § 4.1, 1974.)."

CURRENT SITUATION AND ITS EFFECTS

The Landmark Preservation Commission has designated 2411 Fifth St. (the Martin House) a Structure of Merit.

BACKGROUND

BMC Section 3.24.190 allows the Council to review any action of the Landmarks Preservation Commission in granting or denying an application for designation as a Landmark or Historic District. In order for the Council to review the decision on its merits, the Council must appeal the Notice of Decision. To do so, a Council member must move this Information Item to Action and then move to set the matter for hearing on its own. Such action must be taken within 15 days from the mailing of the Notice of Decision or by September 19, 2006, since the Notice was mailed on September 4, 2006. Such certification to the Council shall stay all proceedings in the same manner as the filing of a notice of appeal.

If the Council chooses to appeal the action of the Landmarks Preservation Commission, a public hearing will be set within 25 days pursuant to BMC Section 3.24.300. The Council must then rule on the designation within 30 days from the date that the public hearing is opened or the decision of the Landmarks Preservation Commission is automatically deemed affirmed.

Unless the Council wishes to review the determination of the Landmarks Preservation Commission and make its own decision, the attached Notices of Decision are deemed received and filed.

POSSIBLE FUTURE ACTION

The Council could choose to appeal (certify) the decision by the LPC, setting a public hearing at a later date.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

Additional staff time would be required to prepare the necessary Council reports and resolution.

CONTACT PERSON

Mark Rhoades, Land Use Planning Manager, 981-7410

Attachments:

1. 2411 Fifth Street – Notice of Decision for Structure of Merit Designation

Anne building was in conformance with what was known as the "Ralston Idea," that workers should be able to live close to where they worked. Mr. Martin worked at Niehaus Brothers while his wife, Annie Martin, worked as a soap packer at the Standard Soap Company at 2nd and Allston Way; and

WHEREAS, consistent with 3.24.110.B, the Martin House, together with other neighboring buildings of its era (including the Hansen House at 2417 Fifth, c.1891, and 806 Channing Way), serves as a remembrance of how Berkeley began as a port city with local factories that employed hundreds of migrant Easterners, as well as European and Chinese immigrants, who had sailed to the port of Berkeley and settled in this neighborhood because of the factory work; and

WHEREAS, the Wayland and Ruby Lewis Family moved to 2411 Fifth St. in 1944, joining an entire block of families arriving from Louisiana to work in the businesses involved in the World War II effort; and

WHEREAS, the Landmarks Preservation Commission recognizes that although the 114-year old Martin House has suffered from fire damage, improper repairs, and wood rot, the Commission finds that the Martin House still retains sufficient historic fabric and character-defining features to convey its historic significance such that it would easily be recognizable by someone who knew it during its period of significance.

NOW, THEREFORE, BE IT RESOLVED, that the Martin House is a City of Berkeley Structure of Merit, with boundaries defined as those of Assessor's parcel 1943-02300.

BE IT FURTHER RESOLVED, that the particular features to be preserved include the lapped wood siding; the hipped roof; the front gabled bay window with its corner pendant brackets and the decorative molding and fish scale shingles in the gable; the paneled front door with its stained glass and transom above; the turned posts supporting the porch; the small brackets under the eaves; and the Chippendale railing on the front porch.

The designation specifically excludes the detached garage structure and the front concrete stairs.

VOTE:	7-2-0-0
Aye:	Edwards, Emmington, Johnson, Korte, Ng, Olson, Parsons.
Nay:	Packard, Winkel
Abstain:	None
Absent:	None

ATTEST: Janet Homrighausen
Janet Homrighausen
 Secretary, Landmarks Preservation Commission

DATE NOTICE MAILED: September 4, 2006
THE APPEAL PERIOD EXPIRES (15 DAYS) AT 5 PM: September 19, 2006
 Appeal must be filed with City Clerk by this date.

TO APPEAL THIS MATTER:

Pursuant to Section 3.24.300 of the Landmarks Preservation Ordinance: "An appeal may be taken to the City Council by the City Council on its own motion, by motion of the Planning Commission, by motion of the Civic Art Commission, by the verified application of the owners of the property or their authorized agents, or by the verified application of at least fifty residents of the City aggrieved or affected by any determination of the commission made under the provisions of this chapter". Any appeal submitted by the public must be in writing, specifying the reasons for the appeal. The appeal fee is \$64.00. The City Clerk's Department is located on the first floor at 2180 Milvia Street, Berkeley, CA 94704; Phone (510) 981-6900.

NOTICE CONCERNING YOUR LEGAL RIGHTS:

If you object to a decision by the Landmarks Preservation Commission to approve or deny a Structural Alteration Permit, the following requirements and restrictions apply:

1. You must appeal to the City Council within 15 days after the Notice of Decision of the action of the Landmarks Preservation Commission is mailed. It is your obligation to inquire with the Current Planning Division (981-7410) to determine when a Notice of Decision is mailed.
2. No lawsuit challenging a City decision to deny (Code Civ. Proc. Section 1094.6(b) or approve (Gov. Code Section 65009(c)(5)) a Structural Alteration Permit may be filed more than 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 90-day period will be barred.
3. In any lawsuit that may be filed against a City Council decision to approve or deny a Structural Alteration Permit, 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.
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.

Attachment:

Designation proposal dated: July 26, 2006.

cc:

City Clerk's Office
 2180 Milvia Street
 Berkeley, CA 94704

Cathleen Quandt
 2413 C Fifth St.,
 Berkeley CA 94710-2455

Laura Fletcher
 P.O. Box 2680
 Berkeley, CA 94702

Planning Dept. GIS staff
 2120 Milvia St.
 Berkeley, CA 94704



PLANNING & DEVELOPMENT

Land Use Planning 2120 Milvia Street, Berkeley, CA 94704
Tel: 510.981.7410 TDD: 510.981.7474 Fax: 510.981.7420 Email: Planning@ci.berkeley.ca.us

RECEIVED

JUL 26 2006

LANDMARK PRESERVATION COMMISSION

LAND USE PLANNING

Landmark, Structure of Merit or Historic District Designation Form

Street Address: 2411 5th street		ZIP: 94710	
Original owner's or business's name: Frederick Martin		Present common name:	
Original owner: Frederick Martin		Present owner's name & address: Laura Fletcher	
Original use: Residential		Present use: Residential	
Is property on any survey? National Register <input type="checkbox"/> California Register <input type="checkbox"/> State Historic Resources Inventory <input checked="" type="checkbox"/> Neighborhood: Urban Conservation Survey Plan <input type="checkbox"/> BAHA Tours, Neighborhood or Area Plan <input type="checkbox"/>			
Application for landmark includes: Building(s) <input checked="" type="checkbox"/> Garden(s) <input type="checkbox"/> Historic Site <input type="checkbox"/> District <input type="checkbox"/> Parcel <input type="checkbox"/> Landscape or Open Space <input type="checkbox"/> Other: _____			
Is the property endangered? Yes <input type="checkbox"/> No <input type="checkbox"/> don't know <input checked="" type="checkbox"/> If yes, please explain: it is on the market as a potential development site - 6 units			
Date of construction: 1892		Factual <input type="checkbox"/> Approximate <input type="checkbox"/> Source of information: 1891-1893 sanborn maps, Huskde Directory 1892-1895	
Architect:		Style:	
Historic Value: National <input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> County <input checked="" type="checkbox"/> City <input checked="" type="checkbox"/> Neighborhood <input checked="" type="checkbox"/>			
Architectural Value: National <input type="checkbox"/> State <input checked="" type="checkbox"/> County <input type="checkbox"/> City <input checked="" type="checkbox"/> Neighborhood <input checked="" type="checkbox"/>			
Present Condition of Property: Exterior: Excellent <input type="checkbox"/> Good <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Interior: Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Poor <input type="checkbox"/> Grounds: Excellent <input type="checkbox"/> Good <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/>			
Survey prepared by: Cathleen Quandt		Signature: <i>Cathleen Quandt</i>	Date: 7.24.06
Address: 2413-C 5th St.		Phone: 510-849-3934	E-mail: <i>cqquandt@earthlink.net</i>

For Staff Use Only

Date: / /	LPC Application #: 01-40000	Intake Planner:	Receipt#:
Landmarks Preservation Commission Fees - Required for all Designation Proposals:		Fee Amount	Amount Due:
Landmark or Structure of Merit Initiation:		\$50.00	
Historic District		\$100.00	
Total fees:			

If you have any questions, please contact the Land Use Planning Division at:
2120 Milvia Street, Berkeley CA 94704
(510) 981-7410, Fax (510) 981-7420
e-mail: gpowell@ci.berkeley.ca.us

Please submit exterior photographs of all sides and of any significant features, a site plan and floor plans.

This Landmark Application includes the following features, pursuant to BMC 3.24.100.A:

see attachment pg. 1-2

Description:

see attachment pg. 2

History:

see attachment pg. 3

Significance:

see attachment pg. 3-4

Bibliography:

see attachment pg. 5

**The Martin House
2411 5th Street, Berkeley 94710**

Features pursuant to BMC 3.24.100.A:

1. Architectural Merit.

b. Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction.

The Martin House is a perfect example of a Queen Ann Victorian Cottage. The Queen Ann style was introduced to the Bay area in 1883. It has not been altered with the exception of the front concrete stair, originally made of wood, and wood shingles that cover the original redwood board siding.

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

The Martin House c.1892, is the second Queen Ann house built on the block. The first on the block is the Hansen House, c1891, next door to the Martin House, at 2417 5th street. It is a larger version of the Martin House, yet similar in plan and detailing. There are a total of five classic Queen Ann Victorians remaining within 2 blocks of the Martin House. Three of them have been fully restored and one is in the process of being restored. The one, at 806 Channing Way, that is being restored shares a back yard boundary with the Martin House. At least four of these homes are on the State Historic Registry and two have landmark status with the City of Berkeley. Although the Martin house is in the MUR district, the immediate neighborhood is solidly single family or duplex residential in scale.

2. Cultural value associated with social and economic developments in the city.

The Martin House is in the second wave of development associated with the Ocean View neighborhood of Berkeley. These neighborhoods developed in response to the two major factories in the area, the Standard Soap Factory and The Niehaus Brothers West Berkeley Planing Mill. Wood from the north coast was brought by boat to the Berkeley Pier, where the Niehuas factory was located. This wave of Queen Ann house building in

the area was in conformance with what was known as the "Ralston Idea", that workers should be able to live close to where they worked.

Mr. Martin worked at the Niehaus West Berkeley Planing Mill which, among other products, made the wood detailing found on the Martin House, the Queen Ann houses in the neighborhood and on many of the Bay Area Victorians.

4. Historic value: Preservation an enhancement of structures, sites and areas that embody and express the history of Berkeley California and US.

Listed on the State Historic Resource Inventory, The Martin House is a classic example of a major architectural movement in the late 19th century. It is also a remembrance of how Berkeley began as a port city with a railroad going up University Avenue. The local factories employed hundreds of migrant Easterners, as well as European and Chinese immigrants, who sailed to the port of Berkeley and settled in this neighborhood because of the available factory work. This neighborhood began as a mixture of factories and nearby homes where the workers lived and has continued to this day in that spirit.

Description of 2411 5th Street

The Martin House is a classic redwood frame, raised basement Queen Ann Victorian cottage. It is in it's original form with no additions or remodels, with the exception of that the front wood stairs have been replaced with concrete and the original redwood siding covered on three sides with wood shingles.

It is a perfect example of the Queen Ann Cottage style. It has a hipped roof, gabled bay, recessed corners with hanging pendants, a recessed porch with fancy-work on the support posts and vertical ladder-work on the porch railing.

The original stained glass is in the front door and transom. Scalloped shingles are in the gable. It is next door to the oldest house on the block, which was built the year before in 1891. Though it is a smaller version, it imitates its' sister next door in form, plan and detailing. The Martin House is one of the few remaining Victorian cottages in what is called the "Avery Tract" and should be scrutinized for architectural value, as well as the value in the context of the neighborhood.

History

Listed on the State Historic Resource Inventory, The Martin House is a classic example of a major architectural movement in the late 19th century, the Queen Ann Style, which was introduced to the Bay area in 1883. The Niehaus Brothers West Berkeley Planing Mill at 2nd and Hearst was responsible for much of the manufacturing of the architectural features that made up the Victorian style. Frederick Martin worked at the Niehaus factory as a bench hand. Next door is the beautifully restored Hansen house c. 1891, which is also on the State Historic Resources inventory. These houses, along with at least 3 others remaining in the neighborhood are important for their well preserved design as well as their place in the history of this West Berkeley community. The ornamental detail and the arched entry over the porch were symbols of stately dignity that was felt by most of the new immigrants in this cosmopolitan community.

The houses are also a remembrance of how Berkeley began as a port city with a railroad going up University Avenue.

The factories close to the port employed hundreds of migrant Easterners, European and Chinese immigrants who sailed to the port of Berkeley and settled in this neighborhood because of the factory work. This neighborhood began as a mixture of factories and the nearby homes where the workers lived and has (mostly) continued to this day in that spirit.

Significance

The remaining 19th century Victorian Structures are what give West Berkeley a sense of history and place. These houses reflect the patterns of the history of Berkeley as well as the Bay Area as a whole. They are specifically representative of the development of West Berkeley into a working class settlement around the port and the factories.

The Martin house is important for its' styling, age (it is 114 years old) and place in the community of West Berkeley. It stands as a representative of time and place. Located in the Avery Tract in the southernmost corner of Berkeley (the original 1878 boundary of Berkeley), the tract remained empty for many years until they were subdivided and sold by their owners, Dusenbury and Wurts in 1890. The Martin Family came to this spot c. 1892 (possibly earlier). They

lived in this house and worked nearby, a situation typical of this area in conformance with what was known as the "Ralston Idea" that workers should be able to live close to where they worked. They were a two income family. Annie Martin was a soap packer for the Standard soap factory (3 blocks away at 2nd and Allston) and Frederick Martin Jr. was employed as a bench hand at The Niehaus Brothers West Berkeley Planing Mill at 2nd and Hearst. It is possible that Frederick's connection to the Niehauses enabled this house to have as much ornamentation as it has. Certainly the Niehaus family was dominant in the immediate neighborhood. The Niehaus house at 7th and Channing was a clear advertisement for the mill's Victorian turnings and fancywork. The neighborhood west of 6th St. is permeated with workingmen's cottages built with varying degrees of economy and scale that started with the Queen Ann Victorians and continued in the post war boom with the post war bungalows. After WWII the Lewis family bought the Martin house. The Lewis family had lived in the house for over 55 years when they sold it in July of 2006. No one has lived in the house since and it is currently back on the market and advertised as a potential development property of six units. A development of this scale would necessitate the demolition of the Martin House and severely impact the history and fabric of the neighborhood.

Bibliography

Rehab Right, How to Realize the Full Value of your Old House
By Helaine Kaplan Prentice and Blair Prentice

State of California -Department of Public works Historic Resources Inventory: The Hansen House

State of California -Department of Public works Historic Resources Inventory: The Martin House

State of California -Department of Public works Historic Resources Inventory: The Niehaus House

Berkeley California Sanborn Map of 1911

Berkeley: The Town and Gown of it
By George A. Pettitt

Alameda Co. Great Register of Voters 1890-1893

Husted's Oakland Alameda Berkeley Directory, 1890-1895



The Martin House- Front
2411 5th Street



The Martin House- Back
2411 5th Street (2417 5th St. at left)



The Martin House- South Side from front
2411 5th Street



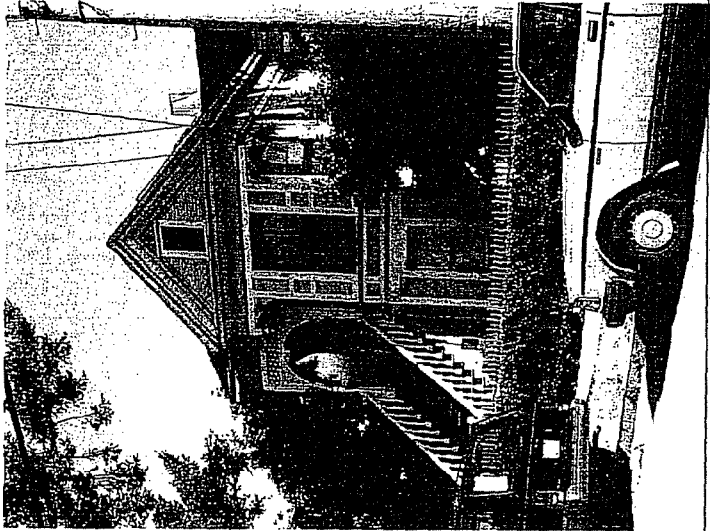
The Martin House- Front Door
2411 5th Street



The Martin House- South Side from back
2411 5th Street



The Martin House- from north front
2411 5th Street (2417 5th St. on right)



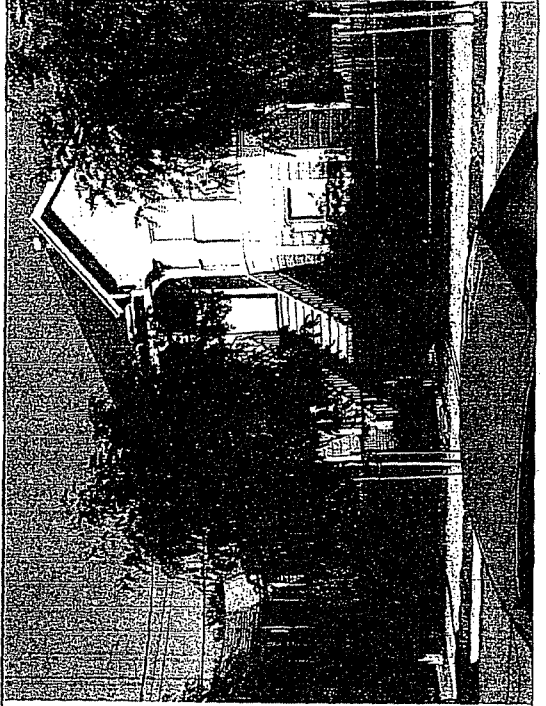
806 Channing Way
Back yard of this house abuts
side yard of Martin House



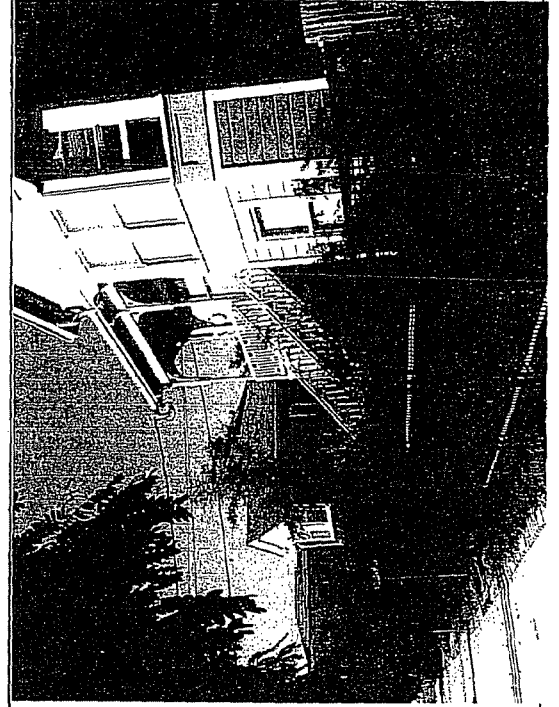
Niehaus House @ 7th & Channing
(2 blocks from Martin House)



2325 5th Street
(1 block from Martin House)

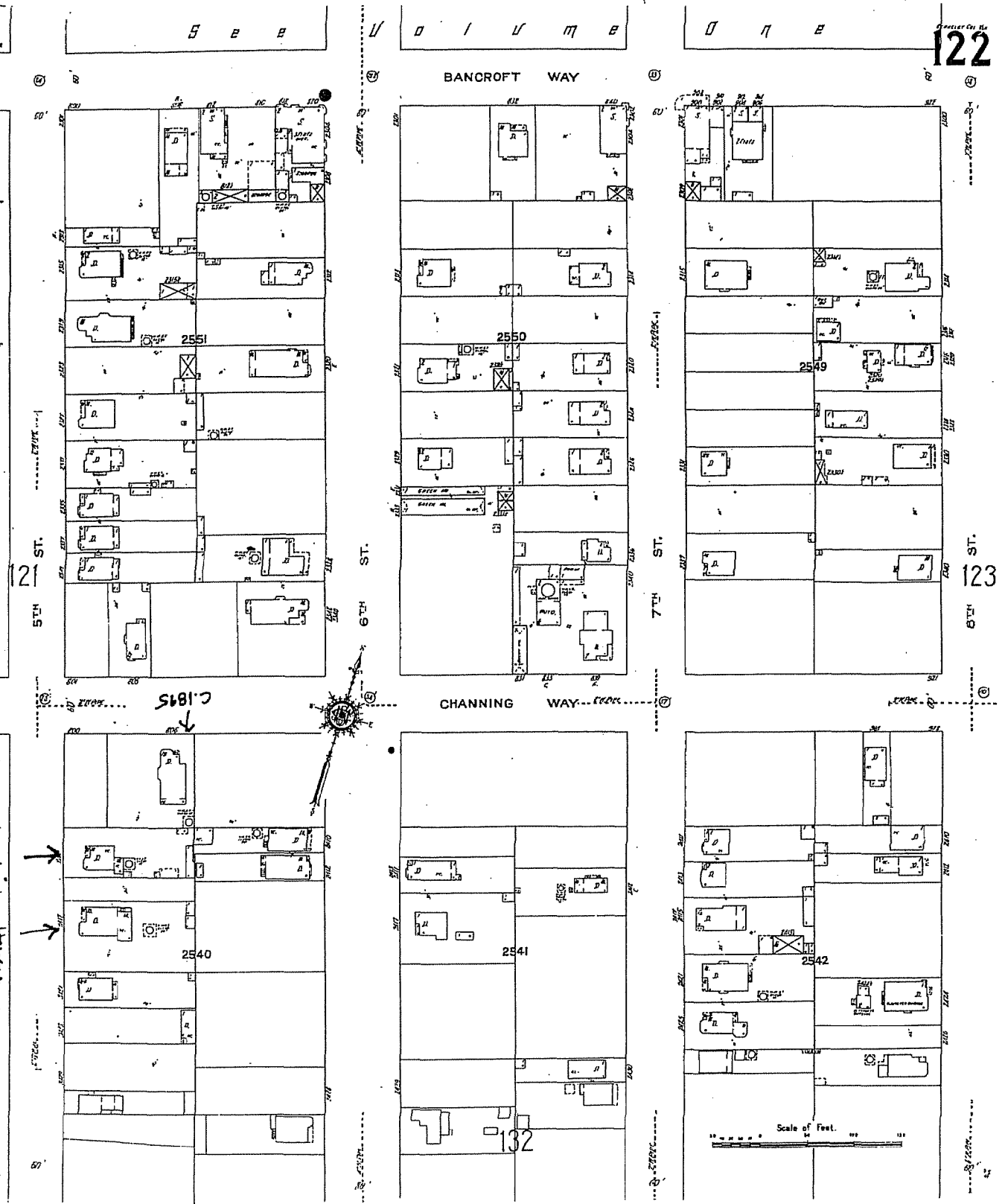


Hansen House 2417 5th St.
(Martin House is on the left)



Hansen House 2417 5th St.
(Martin House is on the left)

911 Sanborn map



122

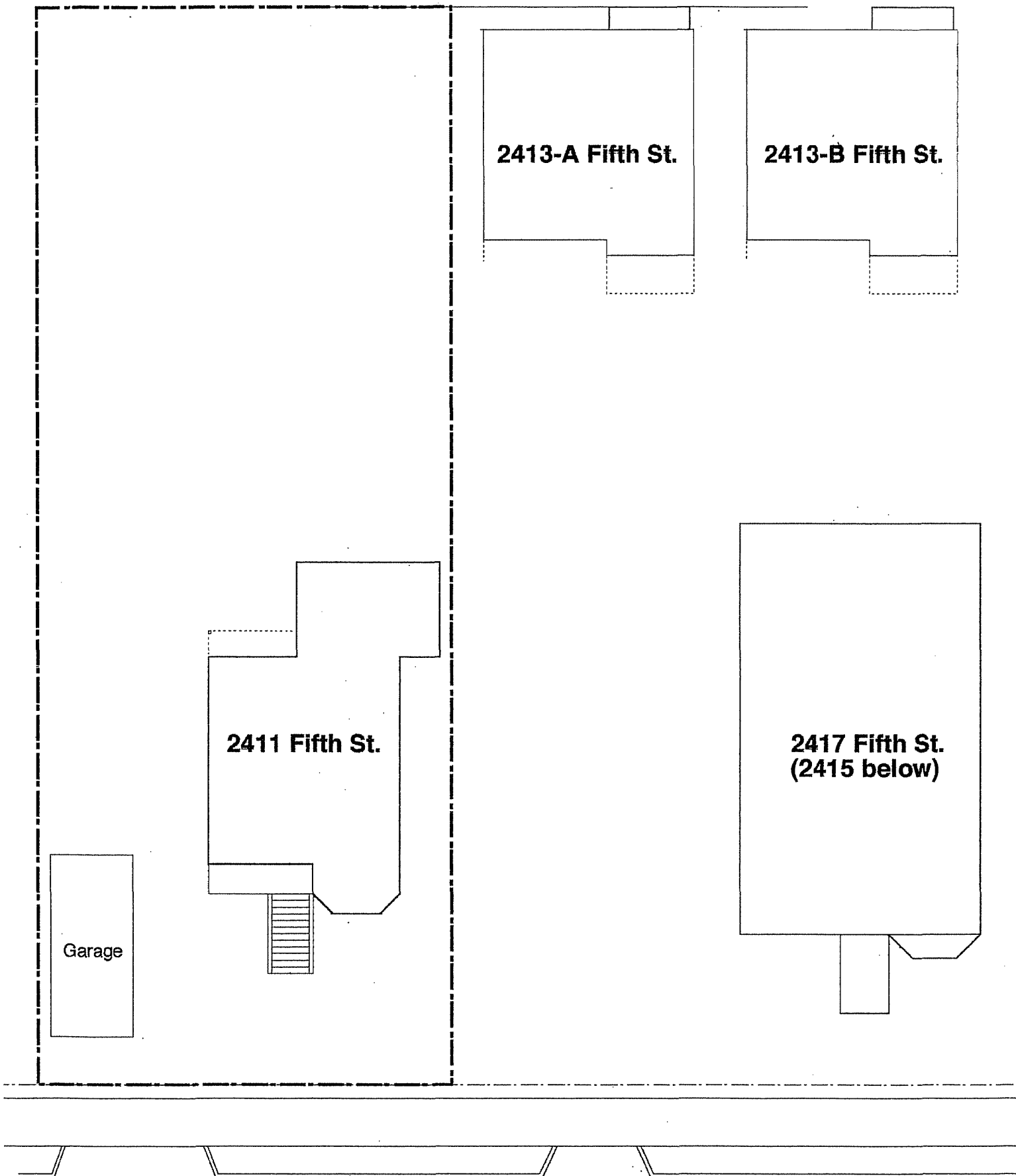
123

132

C. 1895

Martin House
 2411
 5th St.
 Hansen House
 1891

Sanborn map from 1911



Site Plan
1/16" = 1'-0"

2411 Fifth St
Berkeley CA

Fifth Street

← NORTH

HISTORIC RESOURCES INVENTORY

①
1943

(State use only)
 Ser _____ Sii _____ Mo. _____ Yr. _____
 UTM 10/561900/4190400 Q _____ NR _____ SHL 4
 Lat _____ Lon _____ Era _____ Sig _____
 Adm _____ T2 _____ T3 _____ Cat _____ HABS _____ HAER _____ Fed _____

IDENTIFICATION

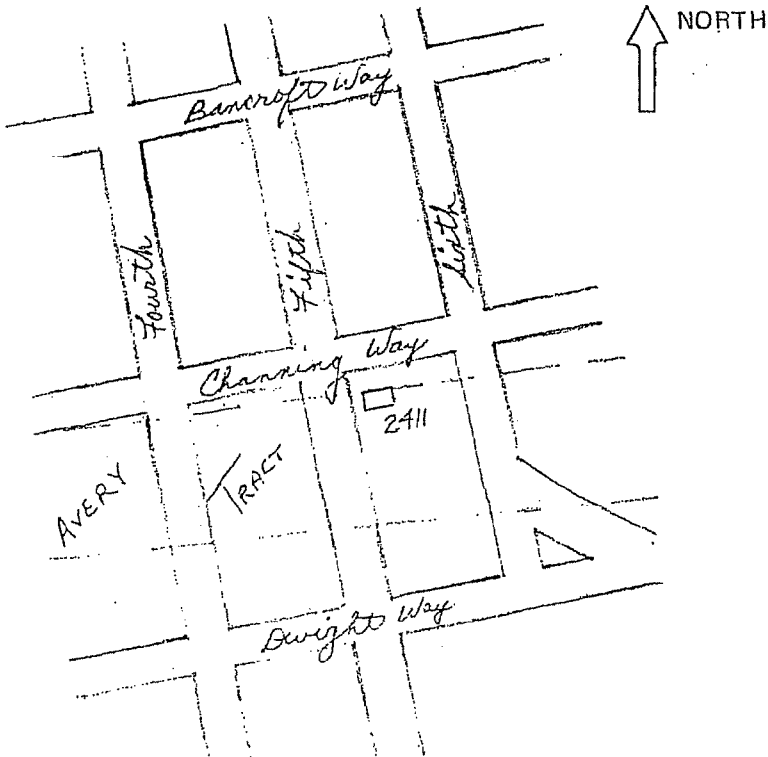
1. Common name: _____
2. Historic name, if known: Martin House
3. Street or rural address 2411 Fifth Street
 City: Berkeley ZIP: 94710 County: Alameda
4. Present owner, if known: W. & Ruby Lewis, et al. Address: 2411 Fifth Street
 City: Berkeley ZIP: 94710 Ownership is: Public Private
5. Present Use: residential Original Use: residential
 Other past uses: _____

DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

This redwood frame raised-basement Queen Ann is in nearly pristine condition. Its major alteration is wood shingles covering the original redwood siding. Otherwise, this is a perfect example of the Queen Ann mode: hipped roof, gabled bay, recessed corners with hanging pendants, fancywork on the turned porch support posts and vertical ladder-work in the railing (this ladder work can be seen elsewhere in West Berkeley on and in the vicinity of Dwight Way), stained glass in the front door. This is one of the few remaining cottages in the Avery Tract and ought to be scrutinized for its value in the context of the neighborhood.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



8. Approximate property size:
 Lot size (in feet) Frontage 51.85
 Depth 136
 or approx. acreage _____
9. Condition: (check one)
 a. Excellent b. Good c. Fair
 d. Deteriorated e. No longer in existence
10. Is the feature a. Altered? b. Unaltered?
11. Surroundings: (Check more than one if necessary)
 a. Open land b. Scattered buildings
 c. Densely built-up d. Residential
 e. Commercial f. Industrial
 g. Other _____
12. Threats to site:
 a. None known b. Private development
 c. Zoning d. Public Works project
 e. Vandalism f. Other _____

14. Primary exterior building material: a. Stone b. Brick c. Stucco d. Plaster e. Wood f. Other w/ wood shingle
15. Is the structure: a. On its original site? b. Moved? c. Unknown?
16. Year of initial construction c. 1890 This date is: a. Factual b. Estimated
17. Architect (if known): _____
18. Builder (if known): _____
19. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)
 f. Windmill g. Watertower/tankhouse h. Other i. None

SIGNIFICANCE

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):
 This house is important for its styling and age and place in the community of early West Berkeley. Located in the Avery Tract in the southwesternmost corner of Berkeley (original 1878 boundary), the tract remained undivided for many years. The Martin family came to the spot c. 1892 (possibly earlier). They lived in this house and worked nearby, a situation typical in this area. Annie Martin was a soap packer for the Standard Soap Co. (3 blocks away at 2nd & Allston) and Fred Martin, Jr. was employed by the Niehaus Bros. at 2nd & Hearst. It is possible that Fred's connection to the Niehauses enabled this house to have as much ornamentation as it has. Certainly the Niehaus family was dominant in the immediate neighborhood. The Niehaus House at 7th & Channing is a clear advertisement for the mill's victorian turnings and fancywork. In any case, as one travels south on 5th toward Dwight, one enters a factory-type zone leaving commercial traffic on 6th, University, and Delaware. Throughout, the area is permeated with workingmen's cottages built with varying degrees of economy in mind, all integrated parts of the West Berkeley community.

21. Main theme of the historic resource: (Check only one): a. Architecture b. Arts & Leisure
 c. Economic/Industrial d. Exploration/Settlement e. Government f. Military
 g. Religion h. Social/Education

22. Sources: List books, documents, surveys, personal interviews, and their dates:
 Alameda Co. GREAT REGISTER OF VOTERS, 1894, 1900, 1918, 1928.
 CITY DIRECTORIES of Oakland & vic., Husted, 1878-1943.
 City of Berkeley Assessment Block Books, 1890s, 1907, 1914-1929.

23. Date form prepared: 1/31/79 By (name): Stephanie Manning
 Address: 2107 Fifth City Berkeley ZIP: 94710
 Phone: (415) 847-8562 Ocean View Neighborhood Preservation Ass

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