

State of California The Resources Agency
 DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary #
 HRI #
 Trinomial
NRHP Status Code

Review Code Other Listings Reviewer Date

Page 1 of 30 *Resource Name or #: (Assigned by recorder) 808 Allston Way
 P1. Other Identifier: None

***P2. Location:** Not for Publication • Unrestricted

*a. County Alameda and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad Oakland West Date 2018 T 1S; R 3W; of of Sec

c. Address 808 Allston Way City Berkeley Zip 94710

d. UTM: (Give more than one for large and/or linear resources) Zone , 12E mE/ 38N mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, decimal degrees, etc., as appropriate)
 APN:056-1963-003. Property is approximately 5,000 square feet (0.11 acres) in size

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Located on the south side of Allston Way between 5th and 6th Streets in West Berkeley, the subject property at 808 Allston Way is a one-story-over-raised-basement, multi-family dwelling approximately 1,226 square feet in size. It has an irregular plan, a primary hipped roof with a flat peak and a prominent, secondary gable roof clad in asphalt shingles, horizontal wood tongue-and-groove siding on the front and side elevations, and vinyl siding on the rear elevation. It is constructed of wood framing over a concrete perimeter foundation. Located on the north (front) elevation is a partial-width front porch with a hipped roof supported by two turned wood columns and two colonettes each with decoratively carved wood brackets and trim. (see Continuation sheet)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



***P3b. Resource Attributes:** (List attributes and codes) HP3 Multi-Family

***P4. Resources Present:** • Building
 Structure Object Site District
 Element of District Other (Isolates, etc.)

P5b. Description of Photo: (view, date, accession #) 11/30/22 View SW

***P6. Date Constructed/Age and Source:** • Historic Prehistoric
 Both

1886 (Factual)

***P7. Owner and Address:**
Puja Kapur & Alexis Laurent
808 Allston Way
Berkeley, CA 94710

***P8. Recorded by:** (Name, affiliation, and address) Brewster Historic Preservation
141 Pierce Street
San Francisco, CA 94117

***P9. Date Recorded:** 12/12/22

***P10. Survey Type:** (Describe)
Intensive

***P11. Report Citation:** (Cite survey report and other sources, or enter "none.")
None

***Attachments:** NONE Location Map • Continuation Sheet • Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List): _____

State of California The Resources Agency Primary #
 DEPARTMENT OF PARKS AND RECREATION HRI#
BUILDING, STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) 808 Allston Way *NRHP Status Code 5S1
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B1. Historic Name: 808 Allston Way
 B2. Common Name: same B3. Original Use: Residential B4. Present Use: Residential
 *B5. Architectural Style: Queen Anne

*B6. Construction History: (Construction date, alterations, and date of alterations)
 Originally built in 1886 as a small, single-story-over-basement, single-family residence, the built was altered in mid-1940s to include an approximate 300-square-foot rear addition, in the mid-1980s to repair fire damage, and the mid-1990s to add vinyl siding at the rear and replacement aluminum frame windows. The property became a multi-family property in the 1940s.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:
 Dilapidated single car detached garage in rear yard and attached modern carport, concrete driveway, parking area, and patio.

B9a. Architect: None b. Builder: Edward F. Niehaus

*B10. Significance: Theme Residential Development Area West Berkeley
 Period of Significance 1880 - 1930 Property Type Residential Applicable Criteria 2/B & 3/C
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Brief History of Berkeley. The following history of Berkeley was obtained from two primary sources; *City of Berkeley General Plan: A Guide for Public Decision-Making*, Urban Design and Preservation Element, and the *Berkeley General Plan Environmental Impact Report*, Cultural Resources Section, both of which were prepared by the City of Berkeley and its planning consultants in 2001.

Prior to the arrival of the Spanish in the 18th Century, the native Costanoan people inhabited the Bay Area including today's Berkeley beginning in approximately 500 A.D. By 1797, seven Spanish missions had been established within Costanoan Territory. (see Continuation Sheet)

B11. Additional Resource Attributes: (List attributes and codes) HP3 Multi-Family Property

*B12. References:

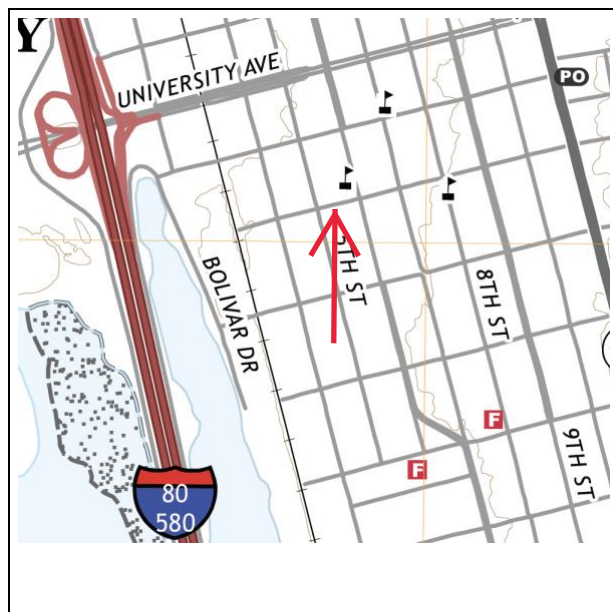
See footnotes on continuation sheets

B13. Remarks:

*B14. Evaluator: Brad Brewster/Brewster Historic Preservation

*Date of Evaluation: December 12, 2022

(This space reserved for official comments.)



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P3a Description (Continued from Page 1)

All visible elevations of the residence are provided in **Figures 1 - 7**, below.



Figure 1. East and north elevations



Figure 2. North and west elevations. 812 Allston Way to left.

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Figure 3. Partial north elevation - ornamental woodwork detail view.



Figure 4. Partial east elevation - cornice detail view

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Figure 5. East and partial south elevations showing rear addition.



Figure 6. South elevation showing rear addition

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Figure 7. Detached garage and carport at rear of property

P3a Description (Continued from Page 1)

The primary entry door within the front porch is a wood paneled door with a single glass pane and fixed wood frame transom window above. The front porch is accessed by concrete steps with a decoratively carved wood siderails and matching balustrade which encircles the northern and eastern sides of the porch. Some of the wood balusters and trim which form the siderails of the steps are damaged or missing (see Figures 1 and 2).

The prominent gable end of the north elevation contains two paired windows with carved wood trim, sill, and header featuring a decorative shell or scallop motif above. Additional ornamental wood details can be found near the gable peak, consisting of scalloped trim, curved eave brackets, an elaborate sunburst motif, and cornice molding. Similar curved wood eave brackets, as well as repeating, incised decorations, can be found along the cornice line on the remainder of the front and side elevations (see Figures 3 and 4).

Fenestration found all first floor elevations consist of replacement aluminum frame, double-hung sash windows with 1-over-1 panes, including the paired window on the front elevation, a single window at the front porch, and other single windows on the side and rear elevations. All of these windows have original wood sills and trim. A variety of fenestration is found on the basement level

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elevations, including aluminum frame sliding windows (two on the east elevation), wood frame, double-hung window with one-over-one panes (one each on the front and rear elevations), as well as one basement-level window on the front elevation which is boarded up with plywood. A paneled wood door leading to the basement level can be found on the rear (south) elevation).

The rear (south) elevation contains an approximately 300 square-foot addition to the original portion of the house. This one-story-over-raised basement addition consists of a hipped roof clad in asphalt shingles and vinyl siding. Fenestration found on this addition also consist of replacement aluminum frame, double-hung sash windows with 1-over-1 panes, but are smaller in size and shape than those found on the original portion of the house. A solid wood rear door is located on the east elevation of this addition, accessed by pressure-treated wood stairs, landing, and railings. A small wood framed awning supported by two wood brackets is positioned over this rear door. An additional solid wood door is located at the basement level, east elevation, of this rear addition (see Figures 5 and 6).

The west (side) elevation consists of horizontal wood tongue-and-groove siding on the original portion of the house, and horizontal vinyl siding on the rear addition. The eaves on all elevations are enclosed either with wood paneling on the front elevation, or perforated vinyl siding on all other elevations.

Other Site Structures and Landscaping. A low, concrete retaining wall runs the length of the front elevation where the property meets the sidewalk. Located within the wall and centered on the front entrance are two concrete steps which lead to a series of concrete walkways; one leading straight ahead to the front steps, while two others curve around to the east and west sides of the house. Between the front of the house and the walkways are panels of grass. A concrete driveway extends from the sidewalk towards the backyard along the east side of the property. A metal chain-link fence with a double gate separates the end of the driveway with the rear yard. The rear yard contains a concrete parking area and patio with a detached, single-car garage in the southeast corner of the property (see **Figure 7**). The garage is a simple, wood framed structure with a concrete foundation, a rectangular plan, a flat roof, and is clad in vertical wood tongue-and-groove siding. A wood double door provides access to the interior of the garage. The garage is in a highly dilapidated condition. Attached to the west elevation of the garage is a more recent car port consisting of pressure-treated wood posts and beams supporting a corrugated plexiglass roof. The remainder of the rear yard consists of either concrete patio/parking areas or disturbed earth and weeds.

Alterations, Integrity and Condition. Alterations to the residence include the rear addition with newer pressure-treated wood staircase, replacement vinyl siding and roof eave materials on the rear and partial side elevations, replacement aluminum frame windows on all elevations, as well as the replacement front door. Some of the wood balusters and trim which form the siderails of the

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front steps are damaged or missing, and much of the painted wood siding and trim surfaces are peeling. Despite these later alterations and moderate condition, the front and side elevations of the house retain most of the original forms, features, and materials which date to its construction in 1886, and as such, has a relatively high level of integrity.

Architectural Style. The subject property at 808 Allston Way is a rare and relatively intact example of the Queen Anne style of architecture. The Queen Anne style was the most popular domestic style in American between 1880 and 1900, and is exhibited by its partial-width front porch supported by turned wood columns with decorative wood trim and brackets, roof cornices with repeating curved wood eave brackets and incised wood details, the prominent front gable end with a decorative truss at its peak, other decorative woodwork along the front window header, its compound hip and gable roof forms, and raised basement level. Also see the brief history of the Queen Anne style of architecture described below.

Neighborhood Description. The subject property is located on a block that is almost entirely residential in character, with one-to-two-story single- and multi-family properties constructed within a timeframe that generally spans the last two decades of the 19th Century to the first half of the 20th Century, including a variety of architectural styles that were popular during this period. Photographs of properties to either side of the subject property and those directly across Allston Way are provided in **Figures 8-12**, below. The subject property is similar in age and style to the residence immediately to the east at 812 Allston Way. Research has revealed that both residences were built at the same time and by the same builder, Edward F. Niehaus (see section B.10 Significance, below).



Figure 8. 808 Allston Way on right, 812 Allston Way on left

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Figure 9. 812 Allston Way



Figure 10. 804 Allston Way. Subject property at 808 Allston Way visible at center.

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Figure 11. Buildings directly opposite Allston Way from subject property looking north/northeast



Figure 12. Buildings directly opposite Allston Way from subject property looking north/northwest

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Brief History of the Queen Anne Style. The Queen Anne style of architecture was the dominant style of domestic building in America from about 1880 to 1900, until it was supplanted by Classical Revival styles beginning around 1910. The style was named and popularized by a group of 19th-century English architects led by Richard Norman Shaw. By 1880, the style was spread throughout the country by a host of pattern books and architecture magazines, as well as mail-order house plans that allowed the public to build an affordable Queen Anne style house. The expanding railroad network expedited this process by making pre-cut architectural details conveniently available throughout much of the nation. Character defining features of a Queen Anne style house include steeply pitched roof of irregular shape, usually with a dominant front-facing gable, an asymmetrical façade with partial or full-width front porch which is usually one story high and may extend along one or both side walls. Over half of all Queen Anne houses have steeply pitched hipped roof with one or more cross gables, along with a high degree of spindlework, including turned porch supports and other ornamentation made possible with machine lathes and jigsaws. This most commonly occurs in porch balustrades or as a frieze suspended from the front porch ceiling. Spindlework detailing is also used in gables in the form of decorative trusses, and under the wall overhangs left by cutaway bay windows. Lacy, decorative spandrels, knob-like beads, and incised decorative detail are also common ornamental elements in this style. Spindlework detailing is sometimes referred to as gingerbread ornamentation, or as Eastlake detailing (after Charles Eastlake, an English furniture designer who advocated similar design elements).¹

B10. Significance (Continued from Page 2)

Rancho San Antonio encompassed all of the land between San Francisco Bay and the crest of the Contra Costa Hills. This land was granted to Luis Maria Peralta in 1820. In 1842, the rancho lands were divided between the three sons of Luis Peralta, and the City of Berkeley lies within the portion given to Jose Domingo Peralta. Ranching was the main activity that took place on this land grant.

By 1861, Berkeley began to emerge out of a small community known as Ocean View, generally located in what is now West Berkeley. Ocean View was an agricultural, commercial and industrial center primarily serving San Francisco and Oakland.

The first telegraph line in the area was installed on Telegraph and Claremont Avenues in 1861, the same year as the establishment of Ocean View. The establishment of the University of California in 1873 provided the impetus for many newcomers to establish residency in the City. The subsequent rise of industry and commerce in Berkeley and surrounding cities prompted further growth of an already multi-ethnic community. The city of Berkeley was incorporated in 1878, following Ocean View's decision to merge with Berkeley.

¹ Virginia Savage McAlester, *A Field Guide to American Houses*, Second Edition, 2013.

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After the Mexican-American war, the United States claimed possession of and promoted homesteading in the area that contains South Berkeley. Between 1872 and 1892, the South Berkeley community grew as a local center of commercial activity and as a suburb of Oakland. The community became known as Lorin, the name of the railway stop at the intersection of Adeline Street and Alcatraz Avenue.

Downtown Berkeley's industrial component developed quickly after 1878, when Francis Kittredge Shattuck bought a spur line of the Southern Pacific Railroad that terminated at what is now Berkeley Square. Downtown Berkeley's form and location are the result of transit patterns established at this time. The large width of Shattuck Avenue marks the location of the station, freight yards, and tracks, and University Avenue was the east-west horsecar route to Ocean View. Shattuck Avenue became the civic center as well as the business center of Berkeley, joining Ocean View with the campus community.

In the early 1900s, dramatic changes and rebuilding reflected Berkeley's civic pride as the Athens of the West. The growth and development was stimulated by the advent of the electric rail system which connected Berkeley with Oakland and San Francisco, the move of many San Franciscans into the East Bay after the 1906 earthquake, and the growth of the University of California. The 1920s saw more development in the Downtown area. A number of new buildings rose on Shattuck Square, which had been converted in 1923 from the Southern Pacific terminus into a commercial block. Another period of development occurred in the Downtown in the 1920s and 1930s. Street facade remodeling and small periods of development in the 1970s and 1980s were the only changes that occurred since the 1920s and 1930s, until a series of new developments occurred in the 1990s. Development of the Downtown in the 1990s included several low-rise retail establishments, and multiple-unit residential buildings with ground floor retail and cultural uses.

Building Types and Styles. Berkeley has a great diversity of buildings and landscapes that reflect the city's history. Most of its buildings were constructed between 1875 and 1940: a fact that expresses Berkeley's essential physical character today. Notably, the expression here of the Bay Region's response to the Arts and Crafts Movement, inspired around the turn of the century largely by the city's natural setting, has given Berkeley a particular architectural distinction.

Building styles, which are usually traceable to particular periods, vary from area to area and often from street to street. In some places, different stages of development are revealed by an occasional remnant Victorian, or by the area's general mixture of later styles. The early transportation hubs can still be detected by the evidence of commercial centers and building clusters from different decades. The areas closest to the University were initially construction in the 19th Century, though many of them were later substantially rebuilt. West Berkeley, and the village of Lorin in South Berkeley, also had their start in the 19th Century. The initial pattern was a response to the

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original transportation system of boats, streetcars, and trains. The areas in between remained largely open for some time then filled in, especially in the 20th Century's first three decades. The expanded suburban development in the hills followed the opening of new streetcar lines, the 1906 earthquake, and ultimately the common use of the automobile.

Preservation Legislation. Reflecting widespread concern about loss of historic resources in the latter half of the 20th Century, the Berkeley City Council adopted the Landmarks Preservation Ordinance (LPO) in 1974. The ordinance created the Landmarks Preservation Commission (LPC), composed of nine Berkeley residents each appointed by the Mayor or another member of the City Council. The LPO gives the Commission authority to make landmark, structure of merit, and historic district designations. The LPC also reviews permit applications for alteration, construction, or demolition of landmarks, structures of merit, and structures in historic districts. The Landmarks Preservation Ordinance also establishes criteria that the LPC must use when considering proposed landmark and historic district designations. There are currently over 300 designated landmarks and structures of merit in Berkeley.

History of the Subject Property. The following history of the subject property was obtained from a review of City of Berkeley phone directories, building permits on file with the City of Berkeley Permit Service Center, historical information provided by the Berkeley Architectural Heritage Association (BAHA), sales transactions at the Alameda County Assessor for parcel #056-1963-003, historic City of Berkeley and Sanborn Fire Insurance Company maps, and US Census Bureau and family tree data provided by Ancestry.com. A summary of available building permits is provided in **Table 1**, and a summary of ownership and occupation of the subject property is provided on **Tables 2** and **3**, on pages 19-20.

A review of historic subdivision maps of the City of Berkeley show that the subject property was located in Tract B of the Berkeley Land and Town Improvement Association (BLTIA), which covered much of West Berkeley, then known as Ocean View, in the area between San Pablo Avenue on the east and San Francisco Bay on the west beginning in the 1870s. The BLTIA was formed in 1873 by Captain James Jacobs, August Rammelsburg, Henry Durant, and associates to promote the development of West Berkeley. In 1874, the BLTIA laid out its Tract B streets on a grid plan, with numbered blocks divided into lots.^{2 3}

One of the earliest developments in the area occurred on the subject block bounded by Allston Way on the north, Bancroft Way on the south, 5th Street on the

² Berkeley Land and Town Improvement Association Map, 1874, available online at <https://oac.cdlib.org/ark:/13030/hb067n99fq/?query=map%20berkeley&brand=calisphere>, Accessed September 14, 2022.

³ Daniella Thompson, "The Niehaus-Rosano Building is a Reminder of Ocean View's Melting-Pot Past," available online at http://berkeleyheritage.com/eastbay_then-now/niehaus-rosano_building.html, Accessed September 14, 2022.

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west, and 6th Street on the east where Edward F. Niehaus (1852 - 1910), principal of Niehaus Bros. & Co.'s West Berkeley Planing Mill, built four speculative houses in 1886, including the subject property at 808 Allston Way, the adjacent house at 812 Allston Way (see **Figure 13**), and two adjacent houses at 2216 and 2200 6th Street⁴ (also see discussion of Edward F. Niehaus, below). On the diagonally adjacent block to the southeast bounded by Bancroft Way on the north, Channing Way on the south, 6th Street on the west and 7th Street on the east, Niehaus built seven more speculative houses between 1890 and 1892, as well as his own opulent Stick-Eastlake villa on the northwest corner of Channing Way and 7th Street in 1889.⁵ Designated a City of Berkeley Landmark in 1976, this ornate house at 839 Channing Way is West Berkeley's grandest surviving Victorian residence.⁶



Figure 13. 812 Allston Way at left, with the partial west elevation of 808 Allston Way at right, circa 1900. Source: BAHA

The 1903 Sanborn Fire Insurance Company Map is the first historic map to identify the subject property in any detail, which at that time, was shown as a one-story-over-basement wood framed dwelling with a front porch, as well as a one-story shed in the rear yard. Only five other single-family dwellings existed on the

⁴ Of the 4 speculative houses built by Niehaus in 1886, 2 on Allston Street remain and 2 on 6th Street were demolished.

⁵ Of the 7 speculative houses built by Niehaus from 1890-92, 6 still remain and 1 at 2328 7th Street was demolished.

⁶ Daniella Thompson, "Edward F. Neihaus, West Berkeley Stalwart," available online at http://berkeleyheritage.com/berkeley_landmarks/niehaus.html , Accessed December 4, 2022.

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subject block at that time, with the remainder of the block subdivided into lots but undeveloped.

The 1911 Sanborn Map shows the subject property in the same location and configuration as on the earlier map. Only four more single-family dwellings had been developed on the subject block by this time, as well as the West Berkeley Macaroni Factory at 2215 5th Street.

The 1929 Sanborn Map shows the shows the subject property in the same location and configuration as on the earlier map, except by this time, a small porch had been added to the rear of the house, and a row of three automobile garages had been constructed in the rear yard along the southern property line. Many more single-family dwellings had been constructed on the subject block by 1929, especially along 6th Street, as well as a number of light-industrial uses, including a chemical works which replaced the earlier macaroni factory, a large greenhouse just to the south of it, as well as an artificial stone works, a machine shop, and two sheet metal shops along Bancroft Way.

The 1950 Sanborn Map shows the subject property in the same location and configuration as on the earlier map, except by this time only one automobile garage in the southeastern corner of the property remained. Other buildings which were built on the subject block by this time included two rows of single-story duplexes at 800-804 Allston Way, an automobile paint shop at 810 Allston Way, the Berkeley Pump Co. replacing the earlier chemical works at 2215 5th Street, a municipal playground replacing the large greenhouse just to the south of it, and a greatly expanded Berkeley Pump Co. shops and warehouses completing the entire southern end of the block along Bancroft Way. Copies of the 1903 - 1950 Sanborn Maps have been reproduced at the end of this section.

As described above, the subject property at 808 Allston Way was built in 1886 on a speculative basis as one of four houses on the subject block by early Berkeley developer and principal of the West Berkeley Planing Mill, Edward F. Niehaus.⁷ The City of Berkeley tax assessment roll for the year 1886 identifies Niehaus as the property owner with improvements on the lot worth \$1,000.⁸ That same year, Niehaus and other nearby property owners circulated a petition to pave the sidewalks at Allston and 6th streets.⁹

The earliest occupants of the property that could be identified through city directory research was John Frederick Frey (1830 - 1912), who was born in Germany, and was occupied as a miller with West Berkeley Planing Mill. He resided at the property from 1892 to 1897 along with his son, Arthur F. Frey, who was a stationary clerk. The elder Frey invested \$500 into the West Berkeley Planing Mill, and sat on its board of directors along with Edward F. Niehaus, his brother

⁷ "E.F. Niehaus intends to Erect Houses on his Property in West Berkeley," *Oakland Tribune*, November 20, 1886.

⁸ City of Berkeley Tax Assessment, BLTIA Tract B, Block 115, Lot 3, made available at BAHA.

⁹ "Berkeley - Improvements in Prospect, General Notes," *Oakland Tribune*, July 26, 1886.

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Otto G. Niehaus, and Gustavus A. Schuster.¹⁰ Schuster resided next door at 812 Allston Way during this time, and as such, it seems possible that both he and Frey resided in their respective, adjacent houses in exchange for their investments in the mill. It also seems highly likely that the lumber, the machine-cut spindlework, and other architectural elements such as windows, doors, and stairs that were used in the construction of all four houses subject block originated from Niehaus and Schuster's West Berkeley Planing Mill.

Niehaus owned the subject property until his death in 1910, after which it was transferred to his widow, Mathilde Niehaus, who owned the property until 1921. During the Niehaus ownership of the property, the house was occupied by a number of different families after the Frey residency. From 1898 to 1902, the house was occupied by Ira M. and Alice Henry and their young daughter, who was also named Alice. Ira Henry was occupied as a tax collector and accountant for the City of San Francisco at the time. In 1903, Phillip J. Krausgrill, who was occupied as a cutler, and his young daughter, Carrie, resided in the house. Between 1907 and 1918, the house was occupied by Harry F. & Della Wagner. At the time, Harry Wagner worked as a stevedore for Moore Shipbuilding Company in Oakland. Between 1919 and 1926, the house was occupied by William G. and Mamie (May) Sheehy and their three children. At the time, William Sheehy worked as a railroad engineer. In 1926 only, the house was occupied by Victor and Amanda Koski. Victor was employed as a house carpenter, and may have constructed the automobile garages which are visible in the 1929 Sanborn Map.

In 1921 the house was sold to Wallace B. and Edith S. Scotchler.¹¹ Wallace Scotchler was a Berkeley real estate agent, and he and his family resided elsewhere in Berkeley during their period of ownership. During this time the house was occupied by the Sheehy family as described above, as well as Samuel Anzelone, a barber, and his wife, Frances, who resided in the house in 1928. Between 1929 and 1933, the house was occupied by Joseph Gallardo, who was a laborer at a cement plant, and his wife, Catarina. In 1933 only, the house was also occupied by Louis G. Young and his son, Frederick.

Between 1937 and 1958 the house was occupied, and later owned, by Victor and Natividad Macias. Victor was first employed as a laborer for a paint manufacturer, and then as a machinist for a gasoline meter production firm. Both Victor and Natividad Macias were born in Mexico in 1905. After renting the house for at least five years, they purchased it in 1942, and lived there until 1958. By 1940, it appears that the house had been subdivided into two units; the upper level unit at 808 Allston Way, and a lower, basement-level unit at 808A Allston Way. The 1940 US Census identified the Macias family at occupying the upper level unit at 808 Allston Way, and Rupert Randall, who worked as a stone construction

¹⁰ "A New Corporation," *Oakland Tribune*, March 29, 1894.

¹¹ City of Berkeley Block Book, 1905-1925, Volume 2, Block 115, Lot 3.

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foreman for a WPA watershed project, along with his wife, Marie, and their daughter, Ramona, as residing in the "lower unit" at 808A Allston Way.¹²

In 1946, owner Victor Macias designed and built the approximately 300-square-foot, one-story-over-basement addition to the rear of the house to include two additional bedrooms and a hallway, as well as a separate rear entrance to the backyard, at a cost of \$800 (see **Table 1. Building Permit History** on page 19). This rear addition soon became a secondary unit at the property, because by 1950, the US Census of that year identified Rafael Reyes, who was a laborer for a railway company, as occupying the "rear unit" at 808B Allston Way, the Macias family as occupying the "upper unit" at 808 Allston Way, and the "lower unit" at 808A Allston Way as unoccupied.¹³ From this time on, the property consists of three residential units.

In 1958 the house was sold to James and Eleanor Neely who resided in the property with their two sons, Christopher G. and Steven E. Neely, for the next several decades. Little is known about the lives of the various Neely family members, other than Eleanor was born in California in 1929, and Christopher and Steven Neely in 1958 and 1959, respectively. It appears that James Neely died fairly soon after purchasing the property, as Eleanor was identified as a widow for many years.

In late 1985, a fire occurred at the lower unit causing damage to the interior, the roof, and the walls. A letter was sent by the City of Berkeley Codes Inspection Division to Eleanor Neely noting that the building was considered substandard, to repair the fire damage as soon as possible, and to relocate the tenant, a Mr. Ellison, who was still occupying the lower unit.¹⁴ That same year, a building permit was granted to Eleanor Neely to repair the fire damage to the building at a cost of \$25,000. By spring 1986, mechanical, plumbing, and electrical permits were granted to make the necessary additional repairs to the house caused by the fire. In mid-1994, a building permit was granted to Eleanor Neely to reclad the rear addition with vinyl siding and install the aluminum frame windows and gutters, at a cost of \$6,700. In 2001, a building permit was granted to Eleanor Neely to reroof the building with asphalt shingles at a cost of \$7,980 (see **Table 1. Building Permit History** on page 19). It is unknown when the modern carport and rear steps were installed, as there are no permits to support their construction date, but they appear to have been completed within the last 10 years.

Multiple renters occupied the rear and lower units 808A-B Allston Way during the Neely family ownership, many of whom remained at the property for less than a

¹² 1940 US Census for 808 and 808A Allston Way, provided by Ancestry.com, Accessed December 5, 2022

¹³ 1950 US Census for 808, 808A, and 808B Allston Way, provided by Ancestry.com, Accessed December 5, 2022.

¹⁴ City of Berkeley, Planning and Community Development Department Codes & Inspection Division, letter to Eleanor Neely at 808 Allston Way, December 18, 1985.

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year. In 2022, the property was sold by the Eleanor Neely Family Trust to Puja Kumar and Alexis Laurant, who are the current owners. The property is currently unoccupied.

Edward F. Niehaus (1852 - 1910)

Edward F. Niehaus speculatively built the subject property at 808 Allston Way, as well as three others on the subject block, beginning in 1886. Niehaus was born in Westphalia, Germany, in 1852, and emigrated to the US along with his brothers, Otto (1846-1906), and Ernest (1855-1940) in the late 1860s. He came to be regarded as a Berkeley stalwart who was a veteran lumberman and held many city offices and chaired important civic committees in the late 19th and early 20th centuries. Niehaus is perhaps best known, however, as the co-proprietor of the West Berkeley Planing Mill, which he owned in partnership with Gustavus A. Schuster. The mill was a massive operation which encompassed an entire city block on 2nd Street between Delaware and Hearst Streets in West Berkeley, and operated continuously from 1874 until it was destroyed by fire in 1901. In the 1880s, brothers Ernest and Otto Niehaus became partners in the West Berkeley Planing Mill.¹⁵ An article in the *Oakland Tribune* described the operation of the mill in the 1880s, noting that it produced 1.5 million board feet of lumber per year, and is "constantly turning out doors and door-frames, window-frames and sash; all kinds of mouldings and brackets, mantels, bookcases, stair works, ornamental fences, tanks, and all kinds of hard and soft wood finish; scroll sawing and turning."¹⁶

In 1880, Edward Niehaus built his first home on 6th Street between Addison and Allston. In 1889, he treated his wife, Mathilde, to an opulent Stick-Eastlake villa on the northwest corner of Channing Way and 7th Street, where the couple lived along with their son, Edward H.A. Niehaus, for many years. This ornate house is considered West Berkeley's grandest surviving Victorian residence, and is a designated a City of Berkeley Landmark. Between 1890 and 1892, Niehaus built seven additional speculative houses on the same block where his home was located.¹⁷

In addition to playing an active role in developing West Berkeley, Niehaus had other business pursuits in the late 1880s, including a partnership with John H. Dieckmann, a German-born importer of tropical woods, where he managed his San Francisco business for several years. Thereafter he bought the bankrupt stock of the hardwood pioneer Straut & Company, establishing his own business at 565 Brannan Street. As an early civic leader, Niehaus served on Berkeley's Board of

¹⁵ Daniella Thompson, "Edward F. Niehaus, West Berkeley Stalwart," available online at http://berkeleyheritage.com/berkeley_landmarks/niehaus.html , Accessed December 4, 2022.

¹⁶ A West Berkeley Mill – the Lumber Finished by the Niehaus Brothers," *Oakland Tribune*, January 20, 1887.

¹⁷ Daniella Thompson, "Edward F. Niehaus, West Berkeley Stalwart," available online at http://berkeleyheritage.com/berkeley_landmarks/niehaus.html , Accessed December 4, 2022.

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Trustees (earlier incarnation of the Berkeley City Council) in 1891, and was appointed to the citizens' committee in charge of Berkeley's Columbian celebration in 1892. In July 1894, Niehaus, along with his brothers Otto and Ernest, were major proponents for a municipal ferry scheme to connect Berkeley with San Francisco. In May 1895, Niehaus was elected to the Berkeley Board of School Directors as the only candidate from the Sixth Ward. Two years later, he was appointed by the Board of Town Trustees to a committee whose charge was to investigate the possibility of extending Southern Pacific's local train service to Gilman Street. In April 1905, Niehaus was one of the founders and directors of the West Berkeley Bank, to be built on the corner of University and San Pablo Avenues. In April 1908, he headed a West Berkeley ticket in the election to frame a new city charter.¹⁸ Niehaus died in his home in 1910 at the age of 57 following an unspecified but protracted illness.¹⁹

Table 1. Building Permit History, 1946 - 2001

- 11/8/1946 Building Permit #60252: 1½ story addition to rear of present building, 2 bedrooms and a hall, for owner, designer, and builder, Victor Macias, \$800.
- 11/25/1985 Building Permit #1125852909: Repair fire damage, framing, electrical, plumbing, and roof for owner Eleanor Neely, \$25,000
- 4/28/1986 Electrical Permit #0428865792: electrical switches and circuits.
- 5/6/1986 Plumbing & Mechanical Permit #0505865969: Bathroom fixtures, gas piping.
- 8/31/1994 Building Permit #94-3206: Vinyl siding on rear addition, black core insulation, aluminum windows and gutters, for owner Eleanor Neely, \$6,700.
- 10/15/2001 Building Permit #01-0004151: Reroofing with asphalt shingles for owner Eleanor Neely, \$7,980.

Table 2. Summary of Ownership, 1886 - Present

- 1886 - 1911: Owned by Edward F. Niehaus (West Berkeley builder/developer, proprietor of West Berkeley Planing Mill, and Berkeley civic leader)
- 1911 - 1921: Owned by Mathilde Niehaus (widow of Edward)
- 1921 - 1942: Owned by Wallace B. & Edith S. Scotchler (real estate agent [Wallace], family resided elsewhere in Berkeley)
- 1942 - 1958: Owned by Victor & Natividad Macias (laborer for a paint manufacturer, then machinist for a gasoline meter production firm [Victor])
- 1958 - 2022: Owned by James & Eleanor Neely/ Eleanor Neely Living Trust (unknown occupations)
- 2022 - Present: Puja Kapur and Alexis Laurant

¹⁸ Ibid.

¹⁹ "Edward F. Niehaus, Lumberman, Dies," *San Francisco Examiner*, September 3, 1910.

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Table 3. Summary of Occupation, 1892 - Present

- 1892 - 1897: Occupied by John Frederick Frey (miller and investor with West Berkeley Planing Mill), and his son, Arthur F. Frey (stationary clerk)
- 1898 - 1902: Occupied by Ira M. & Alice Henry and 1 daughter (collector/accountant in San Francisco [Ira])
- 1903: Occupied by Phillip J. & Carrie Krausgrill (cutler & daughter)
- 1904 - 1906: No directory listings/presumed unoccupied
- 1907 - 1918: Occupied by Harry F. & Della Wagner (stevedore for Moore Shipbuilding Co. in Oakland [Harry])
- 1919 - 1926: Occupied by William G. & Mamie (May) Sheehy and 3 children (railroad engineer [William]). Also occupied in 1926 only by Victor & Amanda Koski (carpenter [Victor])
- 1927: No directory listings/presumed unoccupied
- 1928: Occupied by Samuel and Frances Anzelone (barber [Samuel])
- 1929 - 1933: Occupied by Joseph & Catarina Gallardo and 1 son (laborer, cement plant [Joseph]). Also occupied in 1933 only by Louis G. Young (father, retired) and Frederick Young (son, no occupation listed)
- 1934 - 1936: No directory listings/presumed unoccupied
- 1937 - 1958: Occupied by Victor and Natividad Macias (laborer for a paint manufacturer, then machinist for a gasoline meter production firm [Victor]). Also 808A (lower unit) occupied in 1940 only by Rupert and Marie Randall and daughter (stone construction foreman for WPA watershed project [Rupert]). 808B (rear unit) occupied in 1950 only by Rafael Reyes (laborer, railway company)
- 1958 - 2022: James & Eleanor Neely and two sons, Christopher G. and Steven E. Neely (unknown occupations). Multiple renters in units 808A-B.

Evaluation of Potential Historical Significance. The subject property has been evaluated for its potential historical significance against the evaluation criteria provided by the California Register of Historical Resources (CRHR), and the City of Berkeley Landmarks Preservation Ordinance (LPO). These criteria are provided below.

CRHR Criteria 1. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.

Originally built in 1886, the subject property at 808 Allston Way was one of four single-family houses constructed on the subject block on a speculative basis by local lumberman and Berkeley civic leader, Edward F. Niehaus (1852-1910). These houses were built in an area of West Berkeley that was rapidly developing into a mixture of residential and light-industrial uses during the last two decades of the 19th Century and the first three decades of 20th Century as Berkeley, as well as the entire Bay Area, grew at an enormous rate during this period. Although the

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subject property was one of the first houses to be built in this area of West Berkeley, it does not appear to be individually significant in this context of neighborhood development, as many hundreds of single-family houses were built, often speculatively, during this period of residential and light-industrial growth. The property is not known to have made an individually significant contribution to this broad pattern of local or regional history, and research has revealed no other significant events have occurred on or near the property. For these reasons, the subject property is not individually significant under CRHR Criteria 1.

CRHR Criteria 2. Associated with the lives of persons important to local, California or national history.

The subject property at 808 Allston Way is directly associated with the life of Edward F. Niehaus (1852-1910), who is considered a person important in the history of the City of Berkeley. The subject property was one of four houses built speculatively in 1886 on the subject block by Edward F. Niehaus. The house was owned by him and later his wife, Mathilde Niehaus, from 1886 to 1921. Niehaus is regarded as a Berkeley stalwart who was a veteran lumberman, an early developer of West Berkeley, and Berkeley civic leader primarily during the last two decades of the 19th Century. Niehaus is perhaps best known as the co-proprietor of the West Berkeley Planing Mill, a massive operation which encompassed an entire city block at 2nd and Hearst streets in West Berkeley, and operated from 1874 to 1901 churning out millions of board feet of lumber and countless pre-cut architectural elements for the building industry. With the proceeds of his successful lumber business, Niehaus built at least 12 houses including his own house in West Berkeley between 1886 and 1892, nine of which still stand today. In addition to playing an active role in developing West Berkeley, Niehaus was also an important civic leader, serving on Berkeley's Board of Trustees (earlier incarnation of the Berkeley City Council) in 1891, and served for many years on the Berkeley Board of School Directors beginning in 1895. In 1905, Niehaus was also one of the founders and directors of the West Berkeley Bank. For the reasons stated above, the subject property is considered individually significant under CRHR Criteria 2 at the local level for its direct associations with Edward F. Niehaus.

During the property's 136-year life there have been numerous other owners and occupants, most of whom held a variety of working- and middle-class occupations and who would be considered fairly typical for the types of residents found in West Berkeley during this period. More long-term owners and occupants of the property included John F. Frey (occupant from 1892 - 1897); Frey worked as a miller and investor with the West Berkeley Planing Mill, Harry F. & Della Wagner (occupants from 1907 - 1918); Harry Wagner was a stevedore for Moore Shipbuilding Co. in Oakland, William G. & Mamie (May) Sheehy and their three children (occupants from 1919 - 1926); William Sheehy worked as a railroad engineer, Wallace B. & Edith S. Scotchler (owner from 1921 - 1942); Wallace Scotchler was a

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Berkeley real estate agent, Victor & Natividad Macias (occupants and owners from 1937 - 1958); Victor Macias was a laborer for a paint manufacturer and later a machinist for a gasoline meter production firm, and finally James & Eleanor Neely and their two children (owners and occupants from 1958 - 2022), about whom little is known. None of the later owners or occupants associated with the subject property would be recognized as an important individuals in local or state history.

CRHR Criteria 3. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.

Built in 1886, the subject property at 808 Allston Way is a rare and relatively intact example of Queen Anne architecture, as style that was the most popular domestic style in American between 1880 and 1900. The building embodies the distinctive characteristics of this type of construction, exhibited by its partial-width front porch supported by turned wood columns with decorative wood trim and brackets, the prominent front gable end with a decorative wood truss at its peak, roof cornice ornamentation with repeating curved wood eave brackets and incised wood details as well as other decorative woodwork along the front window header, its compound hip and gable roof forms, and raised basement level. The building is one of four houses built speculatively on the subject block by Edward F. Niehaus (1852 - 1910), only two of which exist today; the other is located immediately to the east at 812 Allston Way, and would also be considered a rare and relatively intact example of Queen Anne architecture. Despite some degree of alterations to 808 Allston Way, including a rear addition clad in vinyl siding and replacement aluminum frame windows on all elevations, as well as some degree of dilapidation including some missing front stair balusters and peeling paint, the building retains a sufficient degree of integrity to convey its significant associations with the Queen Anne style of architecture. For these reasons, the subject property at 808 Allston Way is considered individually significant under CRHR Criteria 3.

City of Berkeley Landmarks Preservation Ordinance Criteria

1. Architectural merit:

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

The subject property at 808 Allston Way was completed in 1886 as one of four speculatively built houses on the subject block by Edward F. Niehaus. Although it was one of the earliest houses to be constructed in West Berkeley, and is a relatively rare survivor from that period of early neighborhood development, it shares that significance with at least 11 other houses built by Niehaus between 1886 and 1892, 8 of which still exist. Niehaus's own house built in 1889 at 839 Channing Way, which is

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designated Berkeley landmark, is considered the most architecturally significant property in the neighborhood. Other more architecturally elaborate and intact examples of Niehaus's speculative builds remain in the neighborhood, including the 2-story Queen Anne style house immediately adjacent to the subject property at 812 Allston Way, as well as the 2-story Queen Anne style houses at 2320 7th Street and 2329 6th Street. As such, the home would not be considered the first, last, only, or most significant architectural property of its type in the region.

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; or

The subject property was originally built in 1886 as a single-story-over-basement Queen Anne style dwelling with some alterations to its plan, cladding, and fenestration. The subject property would be considered a good and relatively intact example of the style, but would not rise to the level of a prototype or outstanding example, as better and more notable works survive in the West Berkeley neighborhood that were built between 1886 and 1892 by Edward F. Niehaus, including his own house at 839 Channing Way (a Berkeley landmark), as well as at least two other 'high style' examples at 2320 7th Street and 2329 6th Street. As such, the subject property may not meet LPO criteria b.

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

Built in 1886 along with three others on the subject block, the property at 808 Allston Way is a good example of the Queen Anne style of architecture despite some of its alterations and moderate condition, and is worthy of preserving along with the adjacent house at 812 Allston Way, as both buildings add to the neighborhood fabric.

2. Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City;

The subject property at 808 Allston Way is not associated with religious, cultural, governmental, social and economic developments of the City. The subject property has been a residence from its original completion in 1886 to today, and although its construction is associated with the early development of the West Berkeley neighborhood, the house is not individually significant for this association as there are at least 11 others which would meet this criteria. As such, the subject property would not be considered to have high cultural value to the City of Berkeley.

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3. Educational value: Structures worth preserving for their usefulness as an educational force;

Originally completed in 1886 with some alterations, the home is one of hundreds of relatively small, single-family homes built during the 50 years spanning the last two decades of the 19th Century and the first three decades of the 20th Century in West Berkeley, and has little educational value as such. Better examples of the Queen Anne style of architecture as an educational tool exist in the neighborhood.

4. Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of Berkeley/Alameda County/California/United States.

The subject property was originally completed as a small, single-family house in 1886 along with many other similar homes in this West Berkeley neighborhood, and later altered in the mid-to-late 20th Century, but would not be considered one that individually embodies or expresses the history of the city, the county, the state, or the country. As described above, the property would not be considered individually significant for its association with neighborhood development or growth during the last two decades of the 19th Century and the first three decades of the 20th Century, as hundreds of residential structures were built during this period.

5. Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.

The subject property is not listed in the National Register of Historic Places.

2. Structures of merit. Criteria which the commission shall use when considering a structure for structure of merit designation are as follows:

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.

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

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to the City, or to the structure's neighborhood, block, street frontage, or group of buildings.

Built speculatively in 1886 by Edward F. Niehaus, the subject property at 808 Allston Way is contemporary with the Edward F. Niehaus residence, a designated Berkeley landmark, built in 1889 and located two blocks away at 839 Channing Way. As such, the subject property would meet Structure of Merit criteria a.

- b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.

Built in 1886 as a single-story-over- -basement, single family house in a Queen Anne style of architecture, the structure is compatible in size, scale, style and materials with the adjacent house at 812 Allston Way, which was built at the same time as the subject property. The two houses form a unique group of Queen Anne style buildings on the south side of Allston Way between 5th and 6th Streets. Although smaller in scale and less elaborate in design than the Edward F. Niehaus residence, the closest designated landmark in the neighborhood, the subject property would be considered generally compatible with this building as well. As such, the subject property would meet Structure of Merit criteria b.

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

The subject property at 808 Allston Way is a good example of the Queen Anne style of architecture, exhibited by its partial-width front porch supported by turned wood columns with decorative wood trim and brackets, the prominent front gable end with a decorative truss at its peak, roof cornice ornamentation with repeating curved wood eave brackets and incised wood details as well as other decorative woodwork along the front window header, its compound hip and gable roof forms, and raised basement level. Despite some degree of alterations including a rear addition clad in vinyl siding and replacement aluminum frame windows on all elevations, as well as some degree of dilapidation including some missing front stair balusters and peeling paint, the building retains a sufficient degree of integrity to convey its significant associations with the Queen Anne style of architecture. As such, the subject property would meet Structure of Merit criteria c.

- d. The structure has historical significance to the City and/or to the structure's neighborhood, block, street frontage, or group of

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buildings. (Ord. 5686-NS § 1 (part), 1985; Ord. 4694-NS § 3.1, 1974)

As one of only two remaining and relatively intact examples of Edward F. Niehaus's speculatively built houses to be constructed on the subject block in 1886, the properties at 808 - 812 Allston Way may have historical significance to the street frontage and to the block as a group of buildings for their historic associations with Niehaus, a West Berkeley stalwart, businessman, and civic leader. As such, the subject property would meet Structure of Merit criteria d.

Conclusion. The subject property at 808 Allston Way meets California Register of Historical Resources (CRHR) evaluation criteria 2 for its significant associations with Edward F. Niehaus, who was important to the history of the City of Berkeley, as well as CRHR criteria 3, because it embodies most of the character-defining features of the Queen Anne style of architecture, and retains sufficient integrity to convey those architectural associations. The subject property does not meet most of City of Berkeley Landmarks Preservation Ordinance evaluation criteria, except for criteria 1.c., because it worthy of preservation along with the adjacent house at 812 Allston Way for their architectural values. Finally, the subject property at 808 Allston Way meets the City of Berkeley Structure of Merit criteria 2.a - d for its architectural merit and historical value to the street frontage and block along with 812 Allston Way. Because the subject property would meet two of the three CRHR criteria, one of the Landmark criteria, and all of the Structure of Merit criteria, it would be considered historically significant under the California Environmental Quality Act (CEQA).

Character-Defining Features Worthy of Preservation

Given that the subject property at 808 Allston Way meets a number of the state and local evaluation criteria for listing as a historic resource in the CRHR and as a City of Berkeley Structure of Merit, the following elements and materials that comprise the property are considered character-defining features worthy of preservation when contemplating any future project that would alter the building:

1. Overall shape and form including irregular plan with compound hipped and prominent front gable roof forms;
2. Horizontal tongue-and-groove wood siding and wood trim including wood window sills and trim (front and side elevations only);
3. All ornamental spindlework details, including that found along the front porch, gable peak, and cornice (front and side elevations only);
4. Front porch, entry stairs, and decorative wood railings (missing balusters should be recreated in wood to match originals);
5. Concrete retaining wall with inset stairs at front of property.

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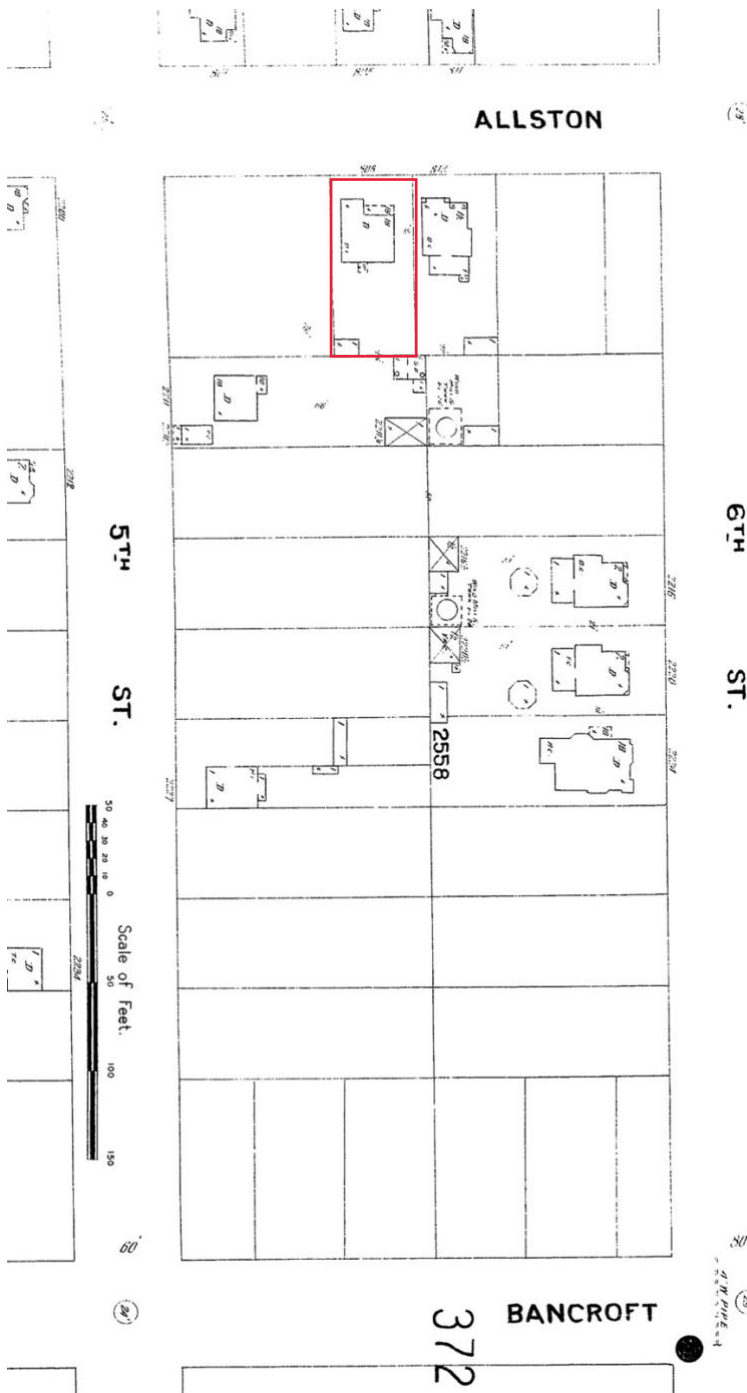
Features Not Worthy of Preservation

The subject property at 808 Allston Way contains a number of elements and features that would not be considered character-defining as they are in highly dilapidated condition or considered inappropriate alterations or additions that reduce the overall integrity of the building. These include the following:

1. Rear, vinyl-clad addition and attached modern staircase
2. Dilapidated garage in rear yard and attached modern carport
3. Vinyl siding on south elevation of main body of building
4. Aluminum frame, double-hung and sliding sash windows (all elevations)
5. Asphalt shingle roofing materials
6. Concrete driveway, parking area, and rear patio

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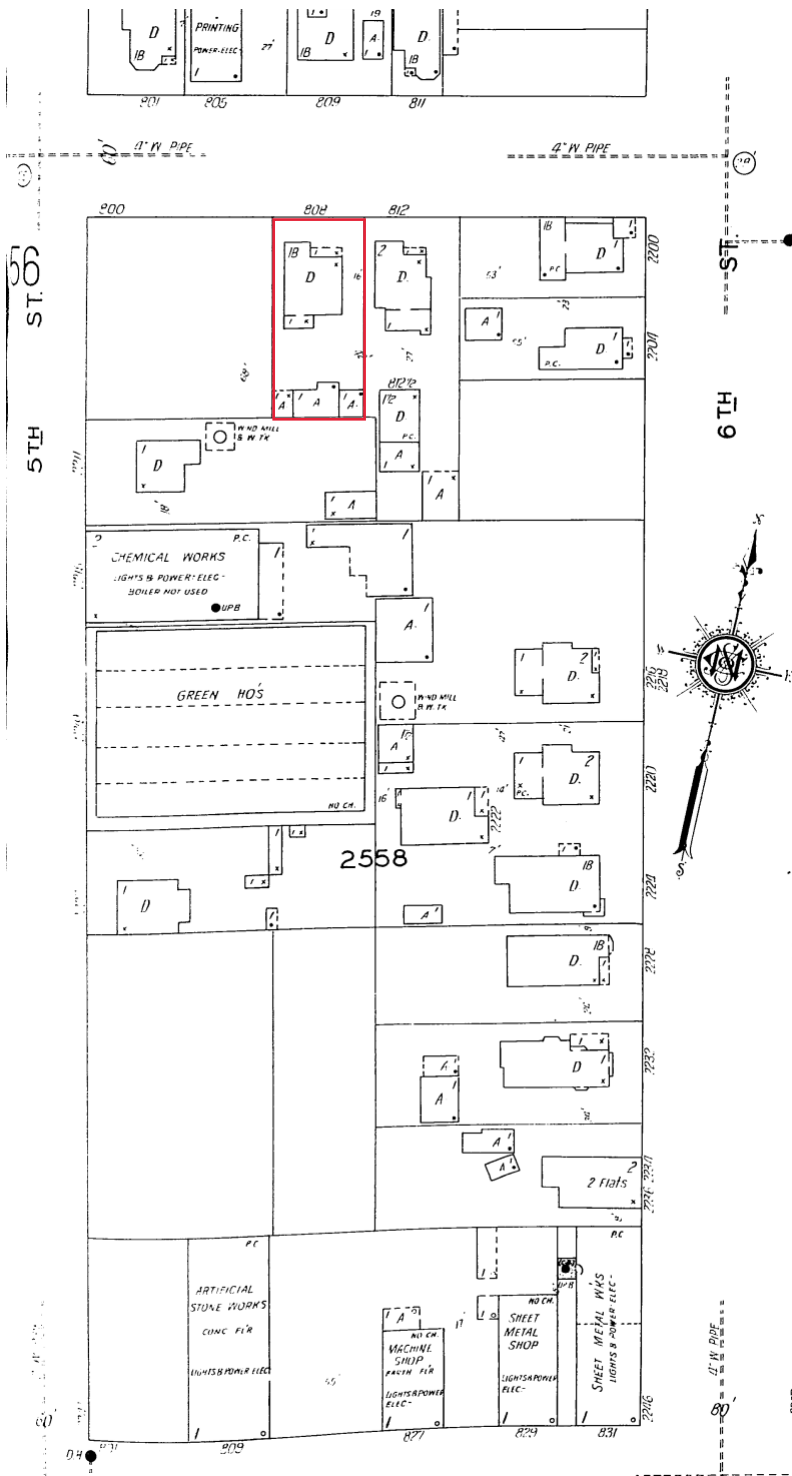
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1903 Sanborn Fire Insurance Company Map. Subject property highlighted in red.

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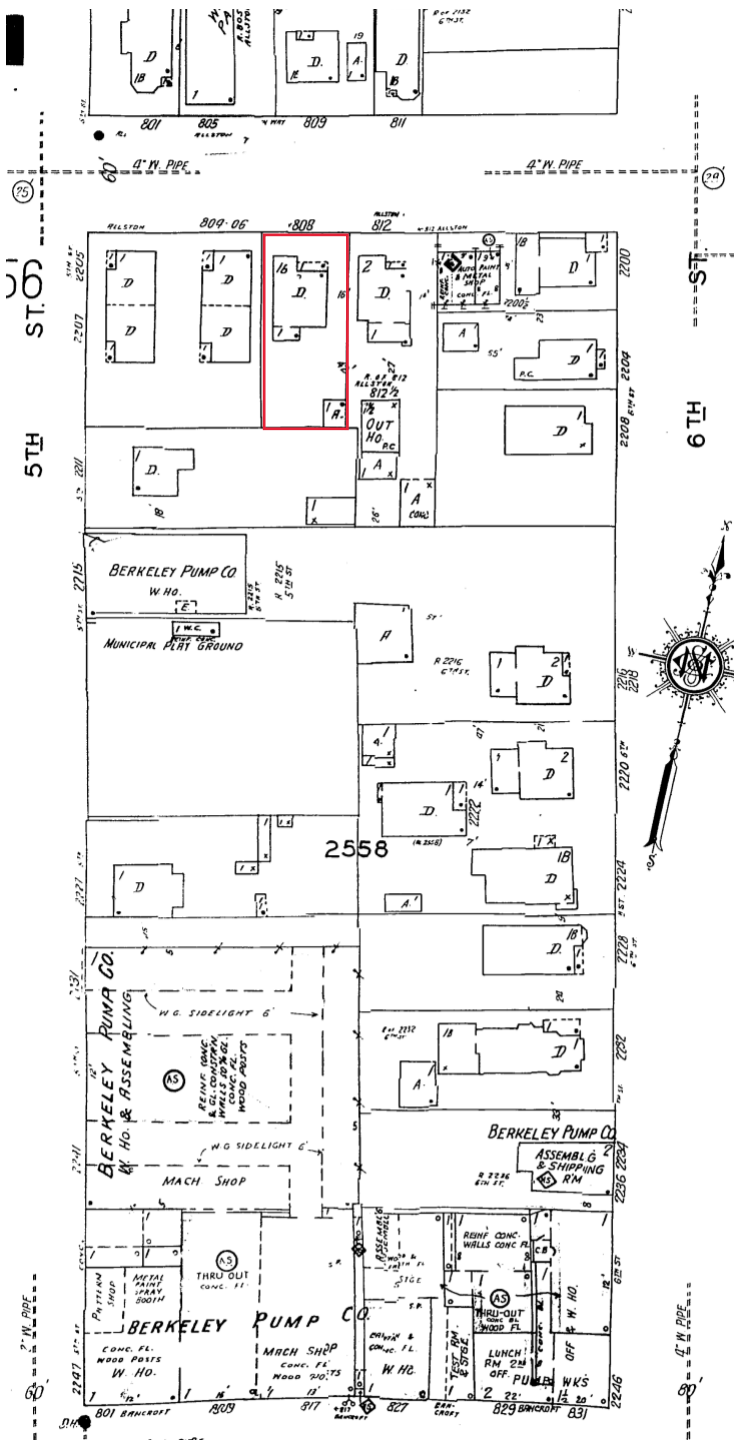


1929 Sanborn Fire Insurance Company Map. Subject property highlighted in red.

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1950 Sanborn Fire Insurance Company Map. Subject property highlighted in red.