Historic Preservation Commission Agenda (Revised 8.17.11)

MOLLY LM SMITH
Chair
DON SIMMONS, Vice Chair

Commission Members
PATRICK BOYD
TERESA ESPAÑA, M.A.
CHRISTOPHER JOHNSON AIA
JOE MOORE
VACANCY

CRAIG SCHARTON, M.S.
Assistant Director

KARANA HATTERSLEY-DRAYTON, M.A.
Secretary
Historic Preservation Project Manager

WILL TACKETT, Planner III

BONNIE CHRISTIAN
Recording Secretary

Any interested person may appear at the public hearing and present written testimony, or speak in favor or against the matters scheduled on the agenda.

If you challenge these matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call the Historic Preservation Project Manager at 621-8520.

The Historic Preservation Commission welcomes you to this meeting.

August 22, 2011

City Hall, Second Floor, CONFERENCE ROOM A, 2600 FRESNO STREET

I. CALL TO ORDER AND ROLL CALL

II. APPROVE MEETING MINUTES

A. Approve minutes for April 25, 2011 and May 23, 2011.
III. APPROVE AGENDA

IV. CONSENT CALENDAR

V. CONTINUED MATTERS


   Staff Recommendation: Review Revisions and Provide Comments.

VI. COMMISSION ITEMS

A. Review and Provide Comments on the Environmental Assessment (EA-11-012) and Conditional Use Permit C-11-120 for the Rehabilitation of the Hotel Fresno (HP#166) Located at 1257 Broadway Pursuant to 12-1606(b)(5).

   Staff Recommendation: Provide Comments.

B. Review and Make Findings on a Request by the Property Owner to Rescind the Designation of the Flora Montague Bungalow Court (HR# 009) Located at 950-960 E. Divisadero Street Pursuant To FMC 12-1612 (ACTION ITEM).

   Staff Recommendation: Not Approve.

VII. CHAIRPERSON'S REPORT

VIII. UNSCHEDULED ITEMS

A. Members of the Commission
   1. Sub-Committee for the José Garcia Adobe.

B. Staff
   1. Request to Consider Nomination of the Droge Building Located at 802 Van Ness Avenue to Fresno’s Local Register of Historic Resources.
   2. Status of Apollo Motel, 205 N. Blackstone.
   3. Open House for the Old Fresno Water Tower and HandsOn Central California, Wednesday August 31, 2 PM.

C. General Public

IX. NEXT REGULAR MEETING: September 26, 2011, Fresno City Hall, Conference Room A. Potential agenda topics, Review of High Speed Rail EIS/EIR and Historic Surveys; and Public draft of the Downtown Development Code.

X. ADJOURNMENT
I. CALL TO ORDER

The meeting was called to order at 5:40 p.m. by Chair Simmons. Roll call given by Karana Hattersley-Drayton.

Commissioners in Attendance
Patrick Boyd
Sally Caglia
Teresa España, M.A.
Christopher Johnson AIA (arrived at 6:20 p.m.)
Joe Moore (arrived at 5:50 p.m.)
Don Simmons, Ph.D.

Commissioners Absent
Molly LM Smith (excused)

Staff for the City of Fresno
Craig Scharton M.S., Assistant Director of Development and Resource Management Dept
Karana Hattersley-Drayton, M.A., Historic Preservation Project Manager (Secretary)
John Fox, Senior Deputy City Attorney
Will Tackett, Planner III, Development and Resource Management Dept
Joann Zuniga, Development and Resource Management Dept (Recording Secretary)

II. APPROVE MEETING MINUTES

Chair Don Simmons called for approval of the meeting minutes of March 28, 2011. Commissioner Sally Caglia moved for approval of the minutes, second by Commissioner Patrick Boyd/Teresa España; the motion carried unanimously. Minutes were approved and filed as submitted.

III. APPROVE AGENDA

Chair Don Simmons stated there was a request to consider Matter VI-D first under Commission Items VI and entertained a motion to approve the agenda. Commissioner Sally Caglia moved to approve the agenda with Matter VI-D to be considered first, second by Commissioner Teresa España; the agenda as modified was adopted (M/S/C, 4 yes, 0 no, 3 absent—Johnson, Moore, Smith).

Karana Hattersley-Drayton welcomed the public to the Historic Preservation Commission meeting held off-site at 1717 L Street (Towne Apartments HP #118) and thanked Phil Skei and his staff from the FIFUL Institute for hosting the Commission meeting.
IV. CONSENT CALENDAR

There were no items on the Consent Calendar.

V. CONTINUED MATTERS

There were no Continued Matters.

VI. COMMISSION ITEMS

A. Review and provide comments on Vesting Tentative Map of Tract No. 5994 and Conditional use Permit Application No. C-11-014 for 1.29 acres located at 1702 L Street pursuant to Fresno Municipal Code Section 12-1606(b)(5)(6).

B. Consideration of application by property owner to demolish the Crichton Home (HR #005) located at 1718 L Street pursuant to Fresno Municipal Code Section 12-1619(b).

1. Adopt staff’s recommended findings in the staff report in the Environmental Analysis section.

2. Find that substantial evidence supports: the appropriateness of a Class 32 Categorical Exemption; that none of the exceptions to the exemption set forth in CEQA Guidelines Section 15300.2 apply; and to the extent that a court might find that the Crichton Homes is presumptively a “historic resource” under CEQA, a preponderance of the evidence proves that the building is not historical or culturally significant based upon its loss of integrity.

3. Elect not to treat the Crichton Home or the Sayre Home as a Historic Resource.

4. Make a determination that the project, which includes the proposed demolition of the Crichton Home, is an infill development project that is categorically exempt from the requirements of CEQA pursuant to Section 15332 of the CEQA Guidelines.

5. Adopt findings to approve issuance of a permit to demolish the Crichton Home (HR #005) located at 1718 L Street pursuant to FMC 12-1619(a) and (b) and subject to the following conditions being placed on the issuance of the demolition permit:

a. The demolition will not occur until building plans for the proposed infill project are submitted to the City’s Building and Safety Division for a plan check.

b. All reusable architectural details from the Crichton Home will be salvaged.
C. Review and make findings on a request by the property owner to designate the William Collins Home (c1900) located at 1752 L Street as a Heritage Property pursuant to Fresno Municipal Code Section 12-1612.

Recusing themselves from Matters VI-A, VI-B, and VI-C and who left the meeting were Chair Don Simmons, who lives within 500 feet of the project under consideration; Commissioner Joe Moore, who works for Valley Public Radio 89.3 FM and the applicant, Darius Assemi, is a member of the community advisory council for Valley Public Radio and also a major donor to the station; and Commissioner Sally Caglia, whose family business, Caglia Demolition, is bidding on this project.

Karana Hattersley-Drayton stated for the record that Commissioners Patrick Boyd, Teresa España, and Chris Johnson were present at the meeting, however, there was not a quorum of the Commission to consider and take action; stated comments from the public were welcomed and likened it to a charrette. John Fox, legal counsel to the Commission, recommended the meeting be converted to a workshop with no action to be taken.

Craig Scharton opened the workshop with introductory comments; stated the historic preservation function was now a part of the City’s revitalization effort in the Neighborhood and Downtown Revitalization and Economic Development Division under his direction; stated a goal of this division was to have the City’s historic preservation function, the Historic Preservation Commission, the historic preservation community, and the private development/business/investment community begin to function in a way that was healthy and in sync with each other that would lead to positive activity in the field of preservation.

Craig Scharton stated the L Street project was ongoing when the historic preservation function became a part of his division; encouraged those present at the meeting to go through the process of commenting on the L Street project even though there would be no action by the Historic Preservation Commission at this time; stated the goal at this meeting would be to gather input from the public and to be more informed and issues vetted when the project returned to the Historic Preservation Commission for consideration.

Karana Hattersley-Drayton stated only Matter VI-A would be discussed at this time in order to solicit ideas for design; stated it did not preclude discussing other matters, however, Matter VI-B and C would need a quorum of the Historic Preservation Commission because findings would need to be made.

Craig Scharton begun the public comment period by stating the assumption that everyone present at the meeting was interested in revitalizing downtown and all were interested in historic preservation; posed questions such as what assets did the street have and what were its challenges; members of the public who spoke included Jeanette Jurkovich, Becky Foore-Hayden, Bill Bruce, Victoria Gonzalez, Pam Kalsen, Cam Maloy, Tim Cameron, Scott Vincent, Phil Skei, and project developer Darius Assemi.

Karana Hattersley-Drayton gave a PowerPoint presentation to acquaint the public with the L Street project; Commission members Boyd, España, and Johnson lent their comments.
Concluding remarks at the workshop included the project was a great commitment to the neighborhood, and it was great to have a local developer participating and willing to incorporate design changes.

[This matter was heard first on the agenda.]


Karana Hattersley-Drayton stated the Commission and the public were asked to provide comments on the draft program environmental impact report prepared by the Department of Public Utilities; comments would be forwarded to the Department of Public Utilities within the 45-day comment period; stated the purpose of the document was to address, in the broadest possible way, potential impacts which may ensue from a consolidated recycled water master plan within the City of Fresno and its Sphere of Influence; stated the program EIR served as a “preliminary assessment of potential impacts” that could occur as a result of future individual projects such as new and upgraded recycled water reclamation facilities, distribution pipelines, pump stations, recharge basins, and storage facilities; stated as individual projects were funded, additional analysis would be required to assess impacts to cultural and historic resources for the specific project area; stated most of the work anticipated within the next five years was within the existing right-of-way.

Karana Hattersley-Drayton stated the consultants and City of Fresno identified four potential impacts to historic, cultural and paleontological resources and developed mitigation measure for each impact; stated only one potential impact was considered significant and unavoidable; stated Impact 4.12.1 noted the proposed project could adversely impact historic architectural resources directly through demolition or substantial alteration or indirectly through changes to the historical setting; stated a mitigation measure was that before any project was considered, a historic survey would be prepared to look at resources 45 years or older and the survey would be professionally prepared and reviewed by staff and the Historic Preservation Commission.

Karana Hattersley-Drayton stated the proposed Master Water Plan allowed for flexibility in the final siting and design of future water facilities; stated Mitigation Measure 4.12.1b provided for documentation for any resource that could not be avoided or relocated using protocols from the National Park Service’s Historic American Building Survey or the Historic American Engineering Record.

Commissioner Joe Moore asked what would be the process of environmental review beyond the subject program EIR for a historic resource that might be in a project area; was there a specific project level EIR by default. Karana Hattersley-Drayton stated there could be a specific project level EIR if the project was big and would have an impact.

Kevin Norgaard, with the City of Fresno Department of Public Utilities, stated because a program level EIR was completed, the next step would be to do a project level EIR for each project.
Chair Don Simmons called for public comment; there was none. The public hearing was closed.

VII. CHAIRPERSON'S REPORT

Chair Don Simmons stated there was no Chairperson's report; stated contact was made with the County of Fresno concerning plans to renovate and remodel the County Courthouse building; stated an update would be given by Karana Hattersley-Drayton under Unscheduled Items VIII-A-1.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

1. Discussion of State plans to renovate and remodel the County Courthouse building.

Karana Hattersley-Drayton stated as of last meeting the Commission was composing a letter to the County Landmarks Commission to voice its concern; stated she had talked to County of Fresno staff regarding the proposal to potentially renovate the County Courthouse building; stated the County was aware of the interest but did not have sufficient funding at this time to do dramatic changes to the building such as removal of the exterior honeycomb and re clad the building and other renovations at this time; stated the County would be setting up a committee to include public members to help advise on the architecture; encouraged members of the Commission to be on that committee; stated the building's ADA and accessibility issues would be addressed over the next couple of years.

Chair Don Simmons stated a letter had been drafted to the County Landmarks Commission but had, as yet, to be reviewed by the Commission.

B. Staff


Karana Hattersley-Drayton reported that both members from the State Office of Historic Preservation and the Acting Deputy of the State Historic Preservation Office would be in attendance; stated Tim Brandt from the State Office of Historic Preservation, an expert on the Secretary of Interior Standards, would be presenting one of the formal sessions in the morning; stated there would be afternoon panel discussions on such topics as how to diversify demographics for historic preservation and another on windows: a metaphor for all the complex issues facing historic preservation, sustainability and health and safety and balancing all of those questions when dealing with restoration; stated there would be a non-hosted lunch; asked that people sign up in
advance of Friday, April 29, 2011, to help staff prepare the packet and name badge for those who signed up.

C. General Public – None.

IX. NEXT REGULAR MEETING

The next meeting of the Commission: May 23, 2011

X. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Approval Date:

Attested to:

__________________________  ______________________________
Don Simmons Ph.D., Chair    Karana Hattersley-Drayton, Secretary
August 22, 2011

FROM: CRAIG SCHARTON, Assistant Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAUGHTON
Historic Preservation Project Manager
Secretary, Historic Preservation Commission

SUBJECT: REVIEW AND PROVIDE COMMENTS ON THE ENVIRONMENTAL ASSESSMENT
(EA-11-012) AND CONDITIONAL USE PERMIT C-11-120 FOR THE REHABILITATION
OF THE HOTEL FRESNO (HP#166) LOCATED AT 1257 BROADWAY PURSUANT TO
12-1606(b)(5).

RECOMMENDATION

Staff recommends that the Historic Preservation Commission:

1. Review and provide comments on the California Environmental Quality Act (CEQA) environmental assessment, EA-11-012, which has been prepared for the proposed project; and
2. Review and provide comments on the attached Conditional Use Permit (CUP) application C-11-120 which has been submitted for the proposed rehabilitation/ restoration of the Hotel Fresno.

EXECUTIVE SUMMARY

Hotel Fresno LLC proposes to rehabilitate the Hotel Fresno, a historic property constructed in 1912 and designed by Edward T. Foulkes. The building has stood vacant for over 20 years and has been the focus of numerous code violations and a Court Order enforced under the City’s Dangerous Building Ordinance. The hotel is a designated historic resource listed on Fresno’s Local Register of Historic Resources (HP#166) and has been recently evaluated as eligible to the National Register of Historic Places under Criteria A and C with concurrence by the State Historic Preservation Officer. The proposed Mixed Use Project will include 19,508 square feet of ground floor retail spaces and 72 multiple family units in the floors above. Current plans also include creation of a parking lot at the rear of the building. The project is estimated to cost approximately $16 million of which $859,868 in federal HOME Program funds will be used to help finance six affordable housing units. An estimated $11 million in HUD Section 220 Program funds is also expected to help finance the project.

A site plan and elevation drawings were presented to and approved by the Historic Preservation Commission on May 19, 2008, at which time the Commission found that the project was consistent with the Rehabilitation Treatment Protocol of the Secretary of the Interior’s Standards pursuant to FMC 12-1617. The plans attached to the CUP (No. C-11-120) appear to be substantially the same as those reviewed and approved by the Commission in 2008.

The City of Fresno has issued a CEQA Mitigated Negative Declaration (EA-11-012) which tiers from and incorporates mitigations adopted in the Master Environmental Impact Report (No. 10130) and the Air Quality MND (No. A-09-02), which were both prepared for the 2025 Fresno General Plan. The Project MND finds that the Hotel Fresno rehabilitation project is not fully within the scope of these previous environmental assessments but concludes that the proposed project will “not result in any adverse effects
which fall within the “Mandatory Findings of Significance” pursuant to Section 15065 of the State CEQA Guidelines."

Project specific mitigations that are required include the areas of water, fire protection and noise. The Historic Preservation Commission, pursuant to FMC 12-1606 (b)(5), has the authority to participate in environmental review under both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA) on permit actions affecting designated Historical Resources. It is important to note that the proposed project will have no adverse impact on a cultural or historic resource. The rehabilitation of the Hotel will in fact represent a welcome resolution to a longstanding concern over this important Fresno landmark.

BACKGROUND

The Hotel Fresno was completed in 1912 and was designed by architect Edward T. Foulkes. It is the oldest extant hotel in Fresno. The building is a seven story concrete structure in a classical revival style. Belt coursing at the third and seventh floors helps to accentuate and divide the tripartite scheme of base, shaft and cornice story. The building’s street level was extensively remodeled and has been refaced with stucco and concrete block.

For the Hotel Fresno, Foulkes adapted the Caravansary model of the Palace Hotel in San Francisco. Thus the Palace's “Garden Court” became the lobby for the Hotel Fresno, with a cantilevered ceiling of glass hung with four chandeliers. A giant fireplace and pipe organ were constructed on the south side of the lobby. A mezzanine surrounded the open lobby. The hotel was one of the most elegant during its heyday and served as the social center for Fresno. Hotel Fresno was Edward T. Foulkes first commission in Fresno.

The Hotel Fresno is on Fresno’s Local Register of Historic Resources (HP# 166) and was found eligible for the National Register of Historic Places through a Section 106 evaluation prepared in 2011. As a listed historic building any changes or modifications to the property must “be consistent with ... the Secretary of Interior’s Standards” and not be detrimental “to the special historical, architectural or aesthetic interest or value of the Historic Resource.” (FMC 12-1617 (h)(1). As a reminder, the Standards “are neither technical nor prescriptive, but are intended to promote responsible preservation practices that help protect our Nation’s irreplaceable cultural resources. ...they cannot, in and of themselves, be used to make essential decisions about which features of the historic building should be saved and which can be changed” (Introduction to Standards and Guidelines.).

The Standards include four treatment approaches: Preservation, Rehabilitation, Restoration and Reconstruction. Based on meetings with the applicant and the attached drawings, the Hotel Fresno project best fits within the Rehabilitation Protocol which is defined as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” “Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations or additions.”

The owners propose to restore the character defining features of the building with minor alterations for safety and exiting. The following Rehabilitation Plan was approved by the Commission at its May 19, 2008 hearing:
Rehabilitation of Character Defining Features:
- Hotel Fresno will be restored as a mixed-use facility with retail and office on the first and second floors and rental residential units on the 3rd-7th floors.
- The atrium with fireplace will be restored and retained for potential use as additional space for the proposed restaurant.
- All principal facades of the hotel will be restored, including the street elevations that were previously altered.
- All windows and doors will be removed and replaced. Windows are proposed to be bronze color aluminum clad, single hung sash.
- The cornice and all architectural ornaments will be restored or replaced in kind.
- All new mechanical systems, wiring and plumbing will be installed.

Changes Required for Health and Safety:
- Due to inadequate exiting for current safety standards, Hotel Fresno LLC proposes a seven story freestanding fire escape of concrete and steel, which will read as a sculptural element and possibly include murals. This will be on the west (back) elevation of the hotel. This elaborate fire escape may qualify as public art under the City's Public Art program and if so evaluated would qualify the project for a 20% minor deviation from any number of development standards, such as parking, set-backs and landscape requirements.
- Although the interior mezzanine walkways will remain as constructed, the owners propose to connect these through windows or openings to the adjacent office spaces.
- The one story addition to the south elevation will be modified to include the same style of windows that have previously been in-filled and will have a raised roof that will allow access for private terrace use by office spaces on the second floor.

CONCLUSION

The proposed rehabilitation of the Hotel Fresno requires both a Conditional Use Permit as well as an Environmental Assessment. Other than the addition of 6 affordable housing units, the removal of office uses on the second floor to accommodate more housing and the development of a parking lot at the rear of the building, the project appears to remain unchanged as it was previously reviewed by the Historic Preservation Commission at its May 19, 2008 meeting. The CUP and environmental documents are thus pro forma as regards impacts to historic resources. Staff recommends that the Commission review and provide comments on both the CUP and the MND, pursuant to the Commission's purview under FMC 12-1606(b)(5). All permits for the rehabilitation of the Hotel Fresno will be reviewed and presented, as appropriate, for Commission review.

Attachments:
- Exhibit A - Site Plan and Elevation Drawings, Hotel Fresno Rehabilitation.
- Exhibit B - CEQA Environmental Assessment for the Hotel Fresno Mixed Use Project (Sections relevant to “Cultural Resources”) 19 August 2011.
Hotel Fresno Mixed Use Project

Environmental Assessment No. EA-11-012
Mitigated Negative Declaration

Filed with the Fresno County Clerk on August 19, 2011

Contact Person:

Sophia Pagoulatos, Supervising Planner
City of Fresno
Development and Resource Management Department
www.sophia.pagoulatos@fresno.gov
(559) 621-8062
CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION

The full Initial Study and the Master Environmental Impact Report No. 10130 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:
EA-11-012

FRESNO COUNTY CLERK
2221 Kern Street
Fresno, California 93721
on
August 19, 2011

APPLICANT:
The City of Fresno Development and Resource Management Department, Housing and Community Development Division 2600 Fresno Street, Rm. 3070 Fresno, California 93721 Contact : Corrina Nunez, Project Manager

PROJECT LOCATION:
1241 and 1257 Broadway Plaza, and 1258 H Street, Fresno, California 93721, in the City and County of Fresno, California (1.07 acres)
36.735735 N Latitude, -119.794516 W Longitude
Assessor’s Parcel Number(s): 466-214-01 & 466-214-17T

PROJECT DESCRIPTION:
Corrina Nunez, on behalf of the Housing and Community Development Division of the City of Fresno, has filed Environmental Assessment No. EA-11-012 for the financing, permitting and rehabilitation of the Hotel Fresno Mixed Use Project in the City and County of Fresno. The Project consists of the rehabilitation of the existing hotel to accommodate 19,508 square feet of ground floor retail uses and 72 multiple family dwelling units in the remaining upper floors of the building on APN 466-214-01. The Project also includes the creation of a parking lot on the adjacent parcel to the rear of the building (APN 466-214-17T). The project will include a vacation of a portion of an alley and the issuance of a special permit. The project site is located in the C-4 (Central Trading) zone district and is planned Commercial Mixed Use Level 2. For a complete project description, see Exhibits A and B, attached.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report No. 10130 (SCH # 2001071097) prepared for the 2025 Fresno General Plan (“MEIR”); and, Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) prepared for the 2025 Fresno General Plan (“Air Quality MND”). A copy of the MEIR and Air Quality MND may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 (“MEIR) or Mitigated Negative Declaration No. A-09-02 (Air Quality MND) prepared for the 2025 Fresno General Plan. Pursuant to Public Resources Code § 21157.1 and California Environmental Quality Act (CEQA) Guidelines § 15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.
This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines.

The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

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<th>SUBMITTED BY:</th>
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<tr>
<td>Sophia Pagoulatos, Supervising Planner and Art Farkas, Krazan &amp; Associates</td>
<td>Mike Sanchez, Planning Manager</td>
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<tr>
<td>DATE: August 19, 2011</td>
<td>DEVELOPMENT &amp; RESOURCE MANAGEMENT DEPARTMENT</td>
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Attachments:
- Exhibit A: Initial Study Impact Checklist and Initial Study (Appendix G)
- Exhibit B: Master Environmental Impact Report Review Summary
- Exhibit D: Project-Specific Mitigation Monitoring Checklist dated August 19, 2011
- Exhibit E: Site Plan and Elevations
CITY OF FRESNO
NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

EA No. EA-11-012
Environmental Assessment No. EA-11-012 for the Hotel Fresno Mixed Use Project

APPLICANT:
The City of Fresno
Development and Resource Management Department, Housing
and Community Development Division
2600 Fresno Street, Rm. 3070
Fresno, California 93721
Contact: Corrina Nunez, Project Manager

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1241 and 1257 Broadway Plaza, and 1258 H Street, Fresno, California 93721, in the City and County of Fresno, California
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The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time...
that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR/Air Quality MND proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3070, California 93721-3604. Please contact Corrina Nunez at (559) 621-8506 or Sophia Pagoulatos at (559) 621-8062 for more information.

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commenter’s name and address; (2) the commenter’s interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on September 9, 2011. Please direct comments to Sophia Pagoulatos, Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to Sophie.Pagoulatos@fresno.gov; or comments can be sent by facsimile to (559) 498-1026.

The financing approvals and this proposed environmental finding for the project have been scheduled to be heard by the City Council on September 22, 2011 at 10:15 am or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2nd Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:
Sophia Pagoulatos, Supervising Planner

DATE: August 19, 2011

SUBMITTED BY:

Mike Sanchez, Planning Manager
CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT
Exhibit A

INITIAL STUDY

HOTEL FRESNO MIXED-USE PROJECT
1241 AND 1257 BROADWAY PLAZA, 1258 H Street
FRESNO, CALIFORNIA  93721

August 19, 2011

Prepared For:

The City of Fresno
Development and Resources Management Department
Housing and Community Development Division
2600 Fresno Street
Fresno, California  93721

Prepared By:

Krazan & Associates, Inc.
215 West Dakota Avenue
Clovis, California  93612

and

City of Fresno
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721
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*Available upon request (contact Sophia Pagoulatos at 559-621-8062 or sophia.pagoulatos@fresno.gov )

KRAZAN & ASSOCIATES, INC.
With Offices Serving the Western United States
1.0 INTRODUCTION AND SCOPE OF STUDY

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report No. 10130 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR No. 10130 ("MEIR") or the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (SCH # 2009051016) ("Air Quality MND").

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- □ Aesthetics
- □ Biological Resources
- □ Greenhouse Gas Emissions
- □ Hazards & Hazardous Materials
- □ Mineral Resources
- □ Public Services
- □ Agriculture/Forest Resources
- □ Cultural Resources
- □ Hydrology / Water Quality
- □ Noise
- □ Recreation
- □ Utilities / Service Systems
- □ Air Quality
- □ Geology / Soils
- □ Land Use / Planning
- □ Population / Housing
- □ Transportation / Traffic
2.0 DETERMINATION

2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130

Staff has reviewed the project proposal described below and consulted with affected agencies. The proposed project has been evaluated with respect to the provisions of the adopted 2025 Fresno General Plan (City Council Resolution No. 2002-379) and the Central Area Community Plan and the corresponding potential adverse environmental impacts, adopted environmental impact mitigation measures and determinations of overriding considerations established by the certification of the related Master Environmental Impact Report (MEIR) No. 10130 (City Council Resolution No. 2002-378) Air Quality MND. The proposed project has been determined to not be fully within the scope of MEIR No. 10130 as provided by the California Environmental Quality Act (CEQA), as codified in the Public Resources Code (PRC) Section 21157.1-(c) and CEQA Guidelines Section 15177(c).

Based upon an analysis of the project, as summarized in the following environmental assessment initial study, it has been determined that the project may contribute to the creation of certain moderate environmental effects or the project may be adversely impacted by existing conditions as addressed below.

All such potential impacts can be mitigated to a level of insignificance with the adoption of the proposed mitigation measures that have proven to be effective in reducing or limiting said impacts. Further, these potential impacts have been determined to be equivalent to or less than those adverse impacts identified by MEIR No. 10130. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Guidelines Section 15178(a). In addition, pursuant to Public Resources Code Section 21157.6(b)(1), it is further determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of Public Resources Code, Section 21157.5(a) (2) and CEQA Guidelines Section 15178(b) (1) and (2). A Review Summary to the 2025 Fresno General Plan Master Environmental Impact Report (Exhibit A) is attached to this Initial Study as reference.

MEIR No. 10130 examined the potential adverse environmental impacts of implementation of the 2025 Fresno General Plan, which provides plans and policies to accommodate projected population and employment growth through the year 2025. The City of Fresno has determined that specific economic, legal, social, technological and other considerations related to the implementation of the 2025 Fresno General Plan outweigh the unavoidable adverse environmental effects identified in the Final MEIR, including any effects not mitigated because of the infeasibility of mitigation measures and that the identified adverse environmental effects are considered acceptable. It has been determined that the proposed project may be adversely impacted by environmental situations addressed below.
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project is a subsequent project identified in the MEIR and Air Quality MND but that it is not fully within the scope of the MEIR and Air Quality MND because the proposed project could have a significant effect on the environment that was not examined in the MEIR or Air Quality MND. However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project may have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature
Mike Sanchez
Printed Name
Title
Date
8-19-11
For: The City of Fresno
3.0 PROJECT BACKGROUND

3.1 Project Title
Hotel Fresno Mixed-Use Project (Project)

3.2 Project Location
1241 and 1257 Broadway Plaza, and 1258 H Street, Fresno, California 93721

3.3 Lead Agency and Contact
The City of Fresno
Development and Resources Management Department
Housing and Community Development Division
2600 Fresno Street, Room 3070
Fresno, California 93721

Contact: Corrina Nunez, Project Manager
(559) 621-8506

3.4 Project Proponent
Hotel Fresno, LLC
188 North Holliston, No. 201
Pasadena, California 91106

3.5 General Plan Designation and Zoning
General Plan Designation: Central Trading/Mixed-Use Level 2
Zoning: Central Trading (C-4)
4.0 DESCRIPTION OF PROJECT

4.1 Current Land Use, Setting and Conditions

The subject site is generally a rectangular-shaped parcel and is accessible from Broadway Plaza and H Street in Downtown Fresno. The 1.07-acre subject site is currently occupied by the dilapidated former Hotel Fresno building comprised of approximately 120,000 sq. ft. in seven stories on 0.52 acres (APN No. 466-214-01) and vacant property adjacent to the rear of the building which is partially in the public right of way and partially owned by the Redevelopment Agency, and in its totality consists of approximately 0.55 acres (APN No. 466-214-17T). The building was constructed in 1912, is listed on the Fresno Local Register of Historic Resources and is eligible for listing on the National Register of Historic Places, and has been gutted and cleared of nonstructural building materials. The property is located on the northwest side of Broadway Plaza, southwest of the Fulton Mall in Downtown Fresno, California. The subject site is surrounded by vacant land to the southwest, the IRS Building to the northwest, and parking lots to the northeast and southeast. It is also located southwest of the north section of the Fulton Mall.

Since creation of the 1989 Plan, the Central Area in general and downtown Fresno specifically have seen significant redevelopment activity including construction of new private and public buildings, development of the Community Hospitals of Central California Medical Center campus, construction of a 12,000-seat baseball stadium, refinements and improvements to infrastructure and traffic-related features, and provision of new and renovated housing opportunities. The proposed housing project is consistent with these activities and is anticipated to contribute to the overall continued revitalization of Fresno’s Central Area. (Figures No. 1 and 2).

4.2 Project Design and Background

PROJECT DESCRIPTION

The City of Fresno Development and Resources Management Department, Housing and Community Development Division, seeks to provide HUD Home Investment Partnership Program (HOME) funds and Section 220 Program funds as a component for the rehabilitation of the long-vacant and dilapidated historic Hotel Fresno property by Grant Recipient and property owner Hotel Fresno, LLC. The project proposes to transform the hotel into 72 new housing units in one-, two- and three-bedroom lofts and studio apartments including moderate-income and six affordable-housing units. Approximately 19,508 square feet of retail rental units will be located on the ground floor with a basement underground. Although the property is located in a parking exempt area, a parking lot will be constructed to the rear of the building to accommodate approximately 50 parking stalls. A vacation of a portion of the unnamed street and alley in the area bounded by Fresno, Broadway, Merced and “H” Streets will be required in order to construct the parking lot. No construction of new buildings is planned. The total project cost is estimated at approximately $16 million, of which approximately $859,868 in HOME Program funds is proposed to help finance the project’s six affordable housing units. An estimated $11 million in HUD Section 220 Program funds is also expected to help finance the project, with the balance of financing to come from other investments. No federal funds will be used for any improvements located outside of the property where the Hotel Fresno is currently located (APN 466-214-01). The estimated
completion date of the project is to be determined. A special permit will be required from the City of Fresno Development and Resource Management Department for the land use prior to issuance of building permits.

There is a need to develop mixed uses in this area to include quality affordable and market-rate residential housing to establish a clean and safe environment which provides for a variety of housing opportunities and restores the pride and identity of the residential areas within the Central Area. The project would be beneficial to the community and the families that live within it.

The implementation of this proposed project will rehabilitate a vacant historic building with new residential and commercial facilities, assist in the removal of conditions blight in the community, and provide a resource for the provision of much needed housing opportunities.
JURISDICTIONAL REVIEW

Responsible and trustee agencies and jurisdictional parties consulted during the course of preparation of this Initial Study include, but are not limited to, the following:

- City of Fresno, Redevelopment Agency
- City of Fresno, Public Works Department
- City of Fresno, Development and Resources Management Department
- City of Fresno Public Utilities Department
- City of Fresno Fire Department Fire
- City of Fresno Parks and Recreation Department
- City of Fresno Police Department
- City of Fresno, Fresno Area Express
- City of Fresno, Historic Preservation
- City of Fresno, Airports Administration
- City of Fresno, Traffic Engineering Manager
- California Environmental Protection Agency, Department of Toxic Substances Control
- California Environmental Protection Agency - Central Valley Region, Water Quality Control Board
- California Department of Transportation/Caltrans
- County of Fresno, Department of Community Health
- Fresno Irrigation District
- Fresno Metropolitan Flood Control District
- Fresno Unified School District, Facilities Management & Planning
- Federal Emergency Management Agency
- Native American Heritage Commission
- San Joaquin Valley Air Pollution Control District

Public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

- City of Fresno
- Fresno Redevelopment Agency
- Department of Housing and Urban Development (HUD)

4.3 Cumulative Impacts

According to CEQA guidance, environmental consequences of the proposed Project should be evaluated including potential cumulative impacts. Cumulative impacts are broadly defined as those resulting from the incremental impacts of an action when added to other past and reasonably foreseeable future actions. By their nature, there can be difficulty identifying and quantifying cumulative impacts. Taking into account past actions potentially related to the proposed Hotel Fresno Mixed-Use Project and factors anticipated to be associated with the proposed Project, it is possible that insignificant cumulative impacts may result in the following areas:

- Air quality (construction particulate matter and long-term vehicle operational emissions)
- Water, sewer and storm water resources (increased incremental demand on infrastructure systems)
- Noise (incremental increase in noise and vehicular activity in the Project area)
• Municipal services (incremental increased demand upon police, fire and utility services)
• Transportation/traffic (incremental increase in vehicle trips not specifically related to development of the proposed Project but related to future industrial activities).

However, given that the proposed Project is focused on a relatively compact target area, and that no significant impacts to the environment which cannot be mitigated to a level of insignificance have been revealed by this Initial Study, it does not appear that the proposed Project represents the potential to make a significant contribution to cumulative impacts as defined herein.
### Cultural Resources

### Environmental Checklist

<table>
<thead>
<tr>
<th>CULTURAL RESOURCES</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporation</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
<th>Information Source(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Will the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Cause a substantial adverse change in the significance of an historical resource as defined by §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>G</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource as defined by §15064.5?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>G</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>G, 24</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>G, 24</td>
</tr>
</tbody>
</table>

#### Discussion of Findings

The proposed Project includes redevelopment of the currently vacant and dilapidated Hotel Fresno building into a mixed-use residential/commercial property and adjoining vacant property to the rear into a parking lot.

#### Issue a)

A July 6, 2010 response to a request for comments letter was received from Karana Hattersley-Drayton, Historic Preservation Project Manager with the City of Fresno, which stated the following:

The use of federal funds constitutes an “undertaking” as defined in 36 CFR 800.16(y). The Hotel Fresno is already designated on Fresno’s Local Register of Historic Resources and pursuant to CRF 800.4, the Hotel must be evaluated formally for the National Register of Historic Places. Should the Hotel Fresno be found eligible to the National Register, it will meet the definition of a “historic property” as defined at
CFR 800.16(l) and the Criteria of Effects will be applied (CFR 800.5). Eligibility for the National Register of Historic Places may allow the property owner to apply for a 20% federal tax credit, after further review by the State Office of Historic Preservation. [...] Due to the lack of any ground disturbing activities, no archaeological study is required.

Consequently, Ms. Hattersley-Drayton prepared the Section 106 Evaluation and Historic Property Survey Report for the Hotel Fresno, 1257 Broadway, Fresno, dated March 18, 2011 (Appendix A). According to the report summary:

This Historic Property Survey Report was prepared for the proposed rehabilitation of the Hotel Fresno, a 1912 Classic Revival style building located on a 2.98-acre parcel at 1241 and 1257 Broadway Plaza in Fresno, California. As a rehabilitation project, and pursuant to the City's Programmatic Agreement with the State Office of Historic Preservation, the Hotel is the only building identified within the project's Area of Potential Effects (APE). The Hotel Fresno required formal evaluation according to criteria for the National Register of Historic Places and appears to be eligible to the National Register under Criterion A and Criterion C with a period of significance of 1912-1960.

In addition, the property was evaluated in accordance with Section 1504.5(a) of the CEQA Guidelines. The Hotel Fresno appears to meet the threshold for listing on the California Register of Historical Resources under Criterion 1 and Criterion 3. The Hotel is already a designated resource under the City of Fresno's Historic Preservation Ordinance (FMC12-1600 et sq.) as HP#166 on the Local Register of Historic Resources. Therefore, no further evaluation was required for the City's Local Register.

According to a May 10, 2011 letter from Milford Wayne Donaldson, State Historic Preservation Officer, Office of Historic Preservation, in response to review of the referenced March 18, 2011 Section 106 Evaluation and Historic Property Survey Report for the Hotel Fresno, 1257 Broadway, Fresno:

The Area of Potential Effects conforms to Stipulation III of the PA. The level of studies to date has been satisfactory and we concur that the Hotel Fresno is eligible for listing in the National Register of Historic Places under Criteria A and C, pursuant to Stipulation IV of the PA. Pursuant to Stipulation V.A.2 of the PA you have determined that the undertaking conforms to the Secretary of the Interior's Standards and will not adversely affect the historic property.

Therefore, the City of Fresno has satisfactorily completed all actions and responsibilities under Section 106 of the National Historic Preservation Act, and there is no substantial evidence the Project will result in a substantial adverse change in the significance of an historical resource as defined by §15064.5.

Issue b)

The only ground disturbing activities to occur as part of the project include grading for the parking lot to the rear of the building. This activity is considered less than significant with the MEIR mitigation measures applied to the project.
Issues c) and d)

A June 24, 2010 request for a Sacred Lands File Search and Native American Contacts List for the proposed Project was submitted to the Native American Heritage Commission (NAHC) in Sacramento, California. According to an August 17, 2010 response letter from the NAHC, the Sacred Lands File search did not indicate the presence of Native American cultural resources within a one-half-mile radius of the project area of potential effect (APE). The NAHC letter included a list of Native American Tribal contacts with the recommendation that the listed parties be contacted with a request for knowledge they may have regarding issues of religious and cultural significance related to the subject site (Appendix G). On June 24, 2010, Tribal consultation was initiated with Request-for-comments letters mailed to each Tribal contact referred by the NAHC. As of the date of this report, one response was received from a listed Tribal contact party. According to a September 23, 2010 letter from Bob Pennell, Tribal Cultural Resources Director with the Table Mountain Rancheria Tribal Government office:

This is in response to your letter dated June 24, 2010, regarding the Proposed Hotel Fresno Residential and Retail Rehabilitation Project, 1241 and 1257 Broadway Plaza, Fresno, CA, 93721, Krazan Project No. 014-10075. Thank you for notifying us of the potential development and the request for consultation. We decline participation at this time but would appreciate being notified in the unlikely event that cultural resources are identified.

Mitigation

The proposed project shall implement and incorporate, as appropriate, the archaeological resource related mitigation measures as identified in the attached MEIR and AQ MND Mitigation Monitoring Checklist dated August 19, 2011.

Conclusion

Based upon the location of the Project subject site on the extant Hotel Fresno building in a developed urban commercial/residential setting, the concurrence of SHPO that the Hotel Fresno is eligible for listing in the National Register of Historic Places, along with the comments and recommendations received from the NAHC and tribal comments, there is no substantial evidence the Project will result in significant impacts to cultural resources (No impact).
I. CALL TO ORDER AND ROLL CALL
The meeting was called to order at 5:40 P.M. by Molly LM Smith, Vice Chair
Members Present: Molly LM Smith Vice Chair
Michele Randel, AIA, CSI Commissioner
Kevin Enns-Rempel Commissioner
Members Absent: Don Simmons, Ph.D. Chair
Cam Maloy Commissioner
Staff Present: Karana Hattersley-Drayton Preservation Project Manager
Darrell Unruh Planning and Development Manager
Jack Van Patten Planner II
Cheryl Haroldsen Recording Secretary

II. APPROVE MEETING MINUTES
There were no minutes available for approval.

III. APPROVE AGENDA
Kevin Enns-Rempel moved to approve the agenda and Michele Randel seconded the motion to approve the agenda. The agenda was approved 3 - 0.

IV. CONSENT CALENDAR
(All consent calendar items are considered by the Historic Preservation Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested, in which event the item will be removed from the consent calendar and considered following approval of the consent calendar.)
There were no items on the Consent Calendar and thus no action taken.

V. CONTINUED MATTERS
There were no items on the Continued Calendar and thus no action taken.

VI. COMMISSION ITEMS
A. Discuss and Make Findings on Proposed Renovation Plans and CEQA Analysis for the Hotel Fresno (HP #166) Located at 1257 Broadway.
Karana Hattersley-Drayton explained that the Hotel Fresno continues to be under a court order per the City’s Vacant Building Ordinance. Hotel Frezno LLC proposes to rehabilitate the Hotel,
a historic property constructed in 1912 and designed by Edward T. Foulkes. The building has stood vacant for close to 20 years and has been the focus of numerous code violations. Current owners acquired the Hotel last summer and immediately initiated an aggressive clean-up program including asbestos testing and abatement; with further plans to renovate and remodel the Hotel Fresno as a mixed use facility and in a plan that adheres to the Rehabilitation Protocol of the Secretary of Interior’s Standards. The purpose of tonight’s Commission meeting is to review the Site Plan and Elevation Drawings provided; considering the drawings in reference to the project’s compliance with Section 12-1617(h) (1) of the FMC and potential impacts under CEQA. When the CEQA review process has been completed, Staff will, again, bring the project before the Commission for final approval. Staff’s analyses of the proposed plans indicate the proposed rehabilitation use will be in keeping with the original uses of the Hotel. They propose to restore all principal elevations; remove and replace original windows and doors with bronze clad single hung windows; all architectural elements will be restored or replaced in kind; and, all new mechanical systems, wiring, and plumbing will be installed. They are also proposing to change the inadequate exiting for current safety practices with a free-standing 7-story concrete and steel fire escape on the west elevation; the owners propose to connect the interior mezzanine walkways through windows or openings to the adjacent office spaces; and, finally, the one story addition to the south elevation will be modified to include the same style of windows that have previously been in-filled and will have a raised roof that will allow access for private terrace use by office spaces on the second floor. She expressed her delight in seeing these plans for the Hotel – something that has been six years in the making.

Romi Baghgegian, Owner, thanked staff for their excellent recapitulation of the proposed plans for the Hotel. He indicated they are basically bringing the building back to its original design, using old photos as points of reference. The upper five floors will actually have double-hung aluminum clad windows among other things to create usable living spaces. The only addition is on the south elevation, including the creation of a balcony on the third floor for the tenants. Structurally, they are not planning on touching the building, but it will be as it is now. Parking issues will be resolved by the RDA’s sale of adjacent land which will equal about 65 parking spaces for the live-in tenants.

Alan Malazian, Project Designer, referring to the plans, indicated the sculpture will work in many different ways; each floor is to have its own exit catwalk with and open staircase; the open atrium in the back will continue to be open and will let in natural light – an element will be carried on to the inside. Regarding the side elevation, as mentioned, they plan to add a second level of which the façade is to match the north elevation’s detail. They have a model with a view from the top of the building, maintaining the atrium’s skylight to its original state with open walkways and railings. The exterior colors will be similar to the original, as shown on the model. They will be replacing the glass roof. The atrium, at mezzanine level, will be open and looking from the base to the seventh floor.

Kevin Enns-Rempel asked for clarification regarding the original glass roof and if it will be made with a stained glass.

Gary Malazian, 2727 W. Bluff #128, asked if the atrium was patterned after the Palace Hotel in San Francisco. He stated that the Palace Hotel’s atrium with its translucent glass creates a fascinating and marvelous light. He recommended that photos be taken and think about incorporating the same feature that would bring tourists and help the business of the Hotel. It is a beautiful attraction and a grand hotel in San Francisco. This is a huge project and he gives his compliments to the new owners.

Michele Randel asked about the walkway of the exterior courtyard within the open atrium above the fourth floor.
Romi Baghgegian indicated they would be used for exiting.
Kevin Enns-Rempel provided his opinion that what has been heard from the owners is fantastic news for a building that until this time has been dying. He indicated he has no objection to the material changes for the window replacements. Adding to the inside of the back courtyard is an excellent and creative way of providing access. He reported his only hesitation might be regarding the interior; however, there is not enough information available yet.
Romi Baghgegian indicated that he was not aware they needed to provide any information regarding the interior to the Commission.
Kevin Enns-Rempel stated that the Commission would only be interested in those areas of the interior that encompassed public spaces.
Romi Baghgegian addressed the fact that whatever they did with the interior of the building, they would have to stay within the market rate. Downtown Fresno is still a risky investment. The average unit will be about a comfortable 1,200 square feet with an open, loft feeling. He indicated he rehabs historic buildings for the passion of it; for the satisfaction of it. If feasible, he would like the atrium to be part of a restaurant operation. The previous moldings are completely gone but they want to try to do casting of what still exists and replace all around – including some of the exterior which was covered with plaster. He hopes a nice restaurant will want to come downtown where it will become a destination point.
Molly LM Smith commented that they have their work cut out for them.
Kevin Enns-Rempel moved the Commission accept the applicant’s request as per Staff report that the proposed rehabilitation of the Hotel Fresno appears to be consistent with the Rehabilitation Treatment Protocol of the Secretary of Interior’s standards. To that extent, the Commission approves the project as presented. Michele Randel seconded the motion. Motion passed 3 – 0.

VII. CHAIRPERSON’S REPORT
None.

VIII. UNSCHEDULED ITEMS
A. Members of the Commission.
None.

B. Staff
Karana Hattersley-Drayton stated the Vernacular Architecture Forum Conference was a big success and thanked all participating. There is no exact count of attendees available yet; but, there were at least 250 fully registered participants from 32 states and 2 foreign countries. Notes, emails, and cards keep coming in – all with rave reviews. It is a wonderful commentary on the work done and on what we have here in Fresno. She is proud to say there were three publications put out and Staff is now in the process of sending copies to various libraries and museums throughout the country.
Molly LM Smith thanked Karana Hattersley-Drayton for all of her hard work which made the Conference such a big success.

C. General Public
None.
August 22, 2011

FROM: CRAIG SCHARTON, Assistant Director Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON Historic Preservation Project Manager Secretary, Historic Preservation Commission

SUBJECT: REVIEW AND MAKE FINDINGS ON A REQUEST BY THE PROPERTY OWNER TO RESCIND THE DESIGNATION OF THE FLORA MONTAUGE BUNGALOW COURT (HR#009) LOCATED AT 950-960 E. DIVISADERO STREET PURSUANT TO FMC-12-1612.

RECOMMENDATION

Staff recommends that the Historic Preservation Commission deny at this time, the request of the property owner to rescind the designation of the Flora Montague Bungalow Court as a Heritage Property. Although one of six units at the court was recently severely damaged by fire, the property appears to still meet the definition of a heritage resource as defined at FMC12-1603(n). Additionally, in a 2004 federally funded survey the court complex was evaluated as eligible to both the Local Register of Historic Resources as well as the California Register of Historical Resources.

EXECUTIVE SUMMARY

The property owner for the 6-unit bungalow court, George Burkhardt (Geo Family LLC), has requested that the designation for the complex as a Heritage Property be rescinded. Reasons cited for the request include a change in circumstances and conditions of the complex since 2007, a lack of integrity from the removal of the 7th unit in 2010, the economic infeasibility of restoration, etc. (Attachment C). The complex was constructed in a U Plan as discrete “bungalows” in 1922 and is the second oldest extant court in Fresno. It was designated by the Historic Preservation Commission as a “Heritage Property” pursuant to protocols found under Fresno Municipal Code Section 12-1612 on May 21, 2007, in part to allow the property owner to take advantage of the California Historical Building Code. Since 2007 there has ensued a history of continuous code violations and citations at the property. Preservation and Community Revitalization staff, as well as Commissioner Molly Smith, have worked in concert with the owner and property manager to address issues and to support the best use of the property. Most recently City staff invested time and funds on a lead grant proposal for the complex.

Pursuant to FMC 1201612(d), “the owner or their authorized representative may amend or rescind the designation of the Heritage Property in the same manner and procedure as was followed in the original designation.” Thus the procedures include careful documentation of the resource, notification to the owner and review and approval of the application by the Historic Preservation Commission. Staff has supported recent requests for delisting a heritage property. However, in those cases there was compelling evidence that the resource no longer met the definition of a heritage resource, as “worthy of preservation because of its historical, architectural or aesthetic merit but which is not proposed for and is not designated as a Historic Resource under this article.”
The Flora Montague Bungalow Court serves as a gateway to Fresno’s Arts and Culture District and appears to continue to meet the definition of a heritage resource. The seventh unit (at the back of the property) was already burned when the complex was designated in 2007. Although staff worked with the property owner to mothball and thus save the unit, it was ultimately demolished in 2010 by the owner. The entire complex is vacant and all units are boarded and secured.

BACKGROUND

“Heritage Property” as defined in the FMC 12-1603 (n) is a “resource which is worthy of preservation because of its historical, architectural or aesthetic merit but which is not proposed for and is not designated as an Historic Resource…” Unlike designations to the Local Register of Historic Resources, heritage properties need not meet any age requirement nor are there specific criteria for designation of a Heritage Property other than the general considerations contained in the definition. Thus, unlike properties evaluated for the Local Register of Historic Resources a resource considered for listing as a Heritage Property need not meet any particular requirement for historic significance or integrity. Requests for listing as a Heritage Property may only be initiated by the property owner or an authorized representative of the owner (12-1612 (a)). The proposed designation of the property does not have to be noticed in the newspaper nor is it reviewed by the City Council. As discussed previously, the owner or the authorized representative may amend or rescind the designation of a Heritage Property in “the same manner and procedure as was followed in the original designation” (FMC 12-1612(d). The assumption is that just as there needs to be compelling documentation to designate a property as a heritage resource, there must be equally compelling information to support its rescission.

CONCLUSION

Although one of the six units was recently severely damaged in a fire, the five remaining bungalows are structurally sound according to Community Revitalization staff. In addition, they retain their character defining features which made them eligible to meet the definition in 2007 of a “heritage property.” The complex is the second oldest bungalow court in Fresno and until recently provided working class housing as it did when constructed in 1922. Staff recommends that the request to rescind the Heritage Property designation be denied by the Commission at this time.

Attachments: 
Exhibit A - 2008 Aerial of the Flora Montague Bungalow Court. 
Exhibit B - State of California Primary and BSO Forms for the Flora Montague Bungalow Court Prepared 26 July 2004 by Jon L. Brady and Dana E. Supernowicz for the City of Fresno’s “Bungalow Court Survey.” 
Exhibit C - Letter from George Burkhardt to Karana Hattersley-Drayton 21 July 2011. 
Exhibit D - Photos of Flora Montague Bungalow Court and burned unit, July 19 2011.
**Resource Name or #:** 950-960 E. Divisadero Bungalow Court

**Location:**
- **County:** Fresno
- **Address:** 950-960 E. Divisadero
- **USGS 7.5’ Quad:** Fresno South
- **Date:** 1978
- **APN #:** 466-133-27

**Description:**
Classic “U” shaped Bungalow Court facing Divisadero Street. The court consists of seven detached Bungalows with a central courtyard accented by concrete walkways with intersecting concrete entries leading to each unit. The entrance to the court facing Divisadero includes an Anglo-Japanesque entry arbor, which frames a modern metal gate and short fence. The landscaping plan, at least as it exits today, is rather scant, and includes several small lawns and planting beds. Character defining features of the court include flared rooflines and eaves, decorative brackets, and beams and knee braces supporting the front entry porches, several of which have facia that are loosely styled after Japanese pagodas. The exterior of each unit is clad with commercial beveled 4” and 6” siding, flared sidewalls, and triple Craftsman style 1:1 lite, double-hung wood windows. Three of the units have shed roof dormers, and the remaining four are rounded or curved dormers with a sunburst design. Roof vents include vertical slats and lattice. Two of the units have bays facing Divisadero and units #952, #954, #956 ½, and #960 have sidelights in the entries. Six of the units have Craftsman divided lite doors (15-16 lites per door). The windows vary from triple wide to single wide. Units #956 and #952 have double dormers and units #954 and #960 have no dormers. Units #954 and #960 do not have chimneys, but other units have brick chimneys, and every unit is built atop a brick foundation. The only building that may have been added onto is 954 ½ that has a cross-gabled addition on the rear elevation.

Unlike every other bungalow or apartment court examined in Fresno, the subject property has no garages. The unit at the end of the "U" shaped court (954 ½ E. Divisadero) has recently suffered damage from a house fire.

**Resource Attributes:** HP3: Multiple Family Property

**Resources Present:** ☑ Building ☐ Structure ☐

**Resource Present:** ☑ Building ☐ Structure ☐

**Object Attributes:** ☑ Site ☐ District ☐ Element of District

**Photograph or Drawing:** (Photo No. 1. View of bungalow court facing Divisadero)

**Description of Photo:** See specific photographs.

**Date Constructed/Age:** 1922

**Historic (City of Fresno Tax Assessors Records)**

**Owner and Address:**
Geo Family LLC
c/o George Burkhardt
6274 Ricky Road
Copperopolis, CA 95228-9412

**Recorded by:**
Jon L. Brady, Architectural Historian,
17900 Auberry Road, Clovis, CA 93611; Dana E. Supernowicz, Architectural Historian;
Barbara Supernowicz, Research Assistant
2001 Sheffield Drive, El Dorado Hills, CA 95762.

**Date Recorded:** July 26, 2004

**Type of Survey:** Architectural

**Report Citation:** Historic Architecture Survey Report for the “Bungalow” Court Project Fresno, California. Prepared for the City of Fresno, Planning and Development Department, 2600 Fresno Street, Fresno, CA 93721-3604.

**Attachments:** ☑ Building, Structure, and Object Record ☑ Continuation Page

*Required Information*
*Resource Name: 950-960 E. Divisadero Bungalow Court

Photo No. 2. View of entry way to bungalow court from Divisadero Street.

Photo No. 3. View of north elevation with bay window of 956 E. Divisadero.

Date 7/26/2004  □ Continuation  □ Update
Photo No. 4. View southwest of façade of 952 Divisadero. Note shed dormers on roof and the detailed entry way with side lites.

Photo No. 5. View west of entry way for 950 E. Divisadero (note curved dormer vents in the form of sunburst).
Resource Name: 950-960 E. Divisadero Bungalow Court

Recorded by: Jon Brady, Dana Supernowicz

Date 7/26/2004

Photo No. 6. View south toward façade of 954 1/2 Divisadero. This cottage sustained fire damage in the recent past.

Photo No. 7. View southwest of rear elevation for 956 E. Divisadero.
*Resource Identifier: 950-960 E. Divisadero Bungalow Court
B1. Historic Name: Part of Central Addition
B2. Common Name: unknown
B3. Original Use: Bungalow Court
B4. Present Use: Bungalow Court
B5. Architectural Style: Craftsman Bungalow
B6. Construction History: According to the Fresno City building permits, a permit was issued for the subject property on March 30, 1922. The permit for the property located on Block 11 in the “Central Addition,” was issued to Flora Montague.

B7. Moved? □ No □ Yes □ Unknown Date: N/A Original Location: N/A
B8. Related Features: The building lies in a commercial, light industrial section of Fresno.

B10. Significance: Theme: Bungalow and Apartment Court Development Area: City of Fresno
Period of Significance: 1915 - 1930 Property Type: Bungalow Court Applicable Criteria: A & C

Fresno’s architectural heritage includes a diverse range of styles that reflect both vernacular and popular designs spanning the late 19th Century through the mid 20th Century. The development of Bungalow Courts, and later Apartment Courts, provided affordable housing during a period of growth in both agriculture and industry in Fresno. The numerous courts in the City of Fresno developed from three typological and stylistic sources: 1) the bungalow courts of the early 20th century whose antecedents began in Southern California; 2) auto courts or motor courts; and 3) popular architecture styled after Traditional and Mediterranean designs.

A building permit for the property was issued to Flora Montague.

A review of the Fresno City Directories for the subject property covering the period of 1922 through 1955 suggests the

B11. Additional Resource Attributes: N/A

B13. Remarks: The subject property retains good integrity and is an example of the transition during the late 1930s to formal court with designed landscapes and popular architectural styles of the period built during the 1940s.

B14. Evaluator: Jon Brady, Architectural Historian, 17900 Auberry Road, Clovis, CA 93611, Dana E. Supernowicz, Architectural Historian, 2001 Sheffield Drive, El Dorado Hills, CA 95762

Date of Evaluation: July 26, 2004
social makeup of the residents includes a transient population of married and single individuals. The City Directory suggests a mixture of both white collar and blue collar professions. A review of local biographical indexes suggests that none of the residents at 950-960 Divisadero Street made significant contributions to local history.

The subject property exhibits a design that was based upon the true Bungalow Courts, largely developed in Los Angeles and as far south as San Diego during the 1910s, characterized by detached California Bungalow styled units surrounding a central courtyard. This particular Bungalow Court was designed with seven units in a classic "U" shaped pattern. The entrance arbor and design elements on several of the units reflect a design idiom that harkens back to Anglo-Japonesque influences and Japanese pagodas. The property's landscaping is very minimal, which may be a reflection of poor maintenance over the past twenty or so years. This court is associated with Fresno's commercial expansion that occurred following World War I and the development of affordable housing in the city's "Central Addition."

The subject property reflects rental units that relied upon public transportation to access nearby jobs. The court's symmetry reflects a formality to its overall design, and its narrow courtyard suggests a certain intimacy between each unit. With the exception of fire damage that occurred to the end unit (top of the "U"), the remainder of the court retains very good integrity, and exemplifies a rare example of true Bungalow Court. While the property retains good integrity, it does not aspire to a level that it appears to be eligible either individually or collectively as a contributor to a historic district for the National Register of Historic Places under Criteria A or C. The court appears in stark contrast to surrounding properties, that were built in the past thirty years and do not reflect the court's age and historic character. The property, however, does appear to be significant for the California Register under Criterion 3, and also appears to be eligible for the City of Fresno's Local Register of Historic Resources under Elements 3. The subject property may be a contributor to a yet undefined local downtown historic district.
Site Plan for 950-960 Divisadero
Date:    7/21/11

To:      Karana Hattersley-Drayton
         Historic Preservation Project Manager
         City of Fresno
         (559) 621-8520

From:    George Burkhardt
         Sole Member of the Geo Family LLC &
         Owner of the cottage complex @ 950 – 960 E. Divisadero St. Fresno, CA

Ref:     Request to delist property as a Heritage Property

Reasons for request are:
- the circumstances and condition of the complex have changed dramatically since the owner agreed in a 4/30/07 meeting with Planning Dept/Code Enforcement staff to seek Heritage Property status
- the complex currently lacks integrity as a result of the City’s required demolition (rather than mothballing) last year of the largest most prominent anchor cottage and the subsequent fire this week that severely damaged one cottage and also damaged another(s)
- the economic infeasibility of restoration of the entire complex
- the lack of finances by the owner
- the concern of the owner for public health & safety

Timing:
- Owner requests this issue be presented to the Historic Preservation Commission during their July 2011 meeting with all information the Commission normally needs so it can promptly render a decision at this meeting
- Owner wishes to exercise his right per the attached HPC 5/21/07 meeting report that “A listing of a heritage property may also be rescinded easily by the owner.”
- If the City delays their action to rescind the property as a Heritage Property, the City will likely cause economic harm to the owner

George Burkhardt

George Burkhardt
36179 San Pedro Dr.
Fremont, CA 94536
geoburkhardt@yahoo.com
Direct/private office line 408-977-0215
Photos, July 19, 2011, following fire at 950 E. Divisadero Street