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 26, 2013 MONDAY 6:00 p.m.

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

I. CALL TO ORDER AND ROLL CALL

II. APPROVE MEETING MINUTES


III. APPROVE AGENDA
IV. CONSENT CALENDAR
None

V. CONTINUED MATTERS
None

VI. COMMISSION ITEMS

A. Review and Approve Amendments to the Historic Preservation Commission By-Laws (ACTION ITEM).
   Staff Recommendation: Approve and adopt amended By-Laws.

B. Review and Approve Permits for the Rehabilitation of the Rear Extension of the Cowdrey Home (HP# 033) Located at 330 N. Park Avenue (ACTION ITEM).
   Staff Recommendation: Recommend approval as detailed in staff report.

C. Review Status of the Frank J. Craycroft Home (HP#182) 6545 N. Palm Avenue Pursuant to FMC 12-1626, the Minimum Maintenance Standards (ACTION ITEM).
   Staff Recommendation: Receive report and make recommendations for future action.

D. Review and Approve Proposals for the Armenian Town Project Located at the Southeast Corner of M Street and Santa Clara Street Pursuant to Mitigation Measures M and N of Environmental Assessment Application No. C-02-061 (ACTION ITEM).
      Staff Recommendation: Review and provide recommendations.
   2. Review and Make Recommendations for Draft Narrative for Wayside Exhibit Pursuant to Mitigation Measure M.
      Staff Recommendation: Review and provide recommendations.
   3. Review and Approve New Façade Doors for the Five Historic Homes.
      Staff Recommendation: Approve doors as detailed in staff report.

E. Review and Provide Comments on the Draft “Historic Environmental Review Procedures Ordinance” Pursuant to FMC 12-1606(b)(6)and(18).
   Staff Recommendation: Review and provide comments.

VII. CHAIRPERSON’S REPORT
VIII. UNSCHEDULED ITEMS

A. Members of the Commission
B. Staff
   1. City Council Consideration of Recommendation of the Lake Moon Company Building to the Local Register of Historic Resources 29 August 2013.
C. General Public

IX. NEXT REGULAR MEETING: September 23, 2013.

X. ADJOURNMENT
I. CALL TO ORDER AND ROLL CALL
The meeting was called to order by Chair Don Simmons at 5:33 PM. Commissioners present: Boyd, Konczal, Moore, Simmons, Woolf (5:35 PM) Commissioners absent: Smith Staff present: Karana Hattersley-Drayton and Will Tackett; (also from DCR, Wilma Quan and Elliot Balch).

II. APPROVE MEETING MINUTES
The minutes of March 25, 2013 were approved 4-0 (Boyd, motion; second, Konczal; Woolf was not present for the vote.)

III. APPROVE AGENDA
The agenda was approved as amended, 5-0 (Moore, motion; Konczal, second).

IV. CONSENT CALENDAR
None

V. CONTINUED MATTERS
None

VI. COMMISSION ITEMS
A. Consideration of Approval of Request by the Property Owner to Recommend to the City Council the Designation of the Lake Moon Company Building Located at 902 F Street to Fresno’s Local Register of Historic Resources and Adoption of Findings Necessary to Support Recommendation Pursuant to FMC 12-1609 (ACTION ITEM).

Karana Hattersley-Drayton presented a Power Point on the Lake Moon Company Building with the staff recommendation that the building appears eligible to the Local Register of Historic Resources under Criterion i.

Commissioner Joe Moore asked if the proposed designation would apply to both bays of the building (not just the Lake Moon Company side). Karana Hattersley-Drayton answered that yes, it is all one building. Commissioner Lisa Woolf asked if there were tunnels under this building. The property owner/applicant answered from the back of the room, “No.”

Chair Don Simmons noted that Fresno is fortunate to have and preserve this resource.
The Chair opened the agenda item up to the public. There was no testimony and the item was closed.

On a vote of 5-0 (Konczal, motion; Moore, second); the Commission voted to support the staff recommendation, that the Lake Moon Company Building is eligible for designation on Fresno’s Local Register of Historic Resources under Criterion i with a period of significance of 1915-2013 and that the item should be forwarded to the City Council for consideration.

B. Consider Recommendation to the City Council Designation of Bob Wills’ Triple B Ranch (APN: 310-040-99) Located on the Northwest Corner of E. Clinton and N. Armstrong to Fresno’s Local Register of Historic Resources and Adoption of Findings Necessary to Support Recommendation Pursuant to FMC 12-1609 (ACTION ITEM).

Commissioner Moore recused himself as the President of Granville Homes serves on a board at Valley Public Radio, Mr. Moore’s employer. Moore left the room for the duration of this discussion.

Upon query of all commissioners by Chair Simmons, Commissioner Konczal stated that she had discussed the agenda item with Darius Assemi of Granville Homes. All commissioners reported that they have visited the site.

Karana Hattersley-Drayton gave the staff presentation which included a Power Point and recommendation that the Triple B Ranch and olive trees be found eligible for listing on the Local Register of Historic Resources under Criteria i and ii. The presentation also included an overview of the earlier application process and the reason for the late discovery of the association of the house with Bob Wills.

Lisa Woolf: Asked if it was possible to separate the olive trees from the ranch house?

Hattersley-Drayton: It is the staff’s opinion that the allees of olive trees is an important part of the historic context.

Commissioner Patrick Boyd: Asked for more detail as to how the property is eligible under Criterion i.

Hattersley-Drayton: Reiterated from the staff report that Wills had a significant connection and association with the “Okie” community in both Fresno and the greater San Joaquin Valley.

Patrick Boyd: Wondered if there is any evidence that Wills wrote any of his songs while at the ranch?

Hattersley-Drayton: We do not know this for sure, but it is not a requirement per se that he actually created music there.

Lisa Woolf: Would house need to be preserved as is, or as –was?

Hattersley-Drayton: The designation is for the property as it appears now. Owner may restore it but this is not required.

Jeff Roberts (Granville Homes): Mr. Roberts noted that it has been 77 days since he applied for the demolition permit. Granville Home remains very opposed to the designation of the property to the Local Register. The question is whether the property meets the standards for listing. Property was sold to Granville Homes by Lee Schulte (?) which required a variance from the County. The City made no comment regarding the County’s application. Furthermore the entitlement for the City included an
Environmental Assessment which included no significant impacts to historic and cultural resources. The project was approved by the Planning Commission and the City Council, with various conditions. The lots in the area of the ranch house were purposely drawn to be larger in order to provide a buffer to adjacent residential properties. The developer applied to LAFCO in 2007 and was encouraged to take in the full 160 acres in annexation.

Olive trees are in poor condition. House has asbestos, lead, bees, and has been vandalized, including removal of the decorative shutters [Ed. Note: the shutters were not present when the Wills Family owned the property.] Granville staff feel that the Commission should use the federal criteria for significance. Their opinion is that the Fresno Barn is the location for important cultural and historic events associated with Bob Wills. Redesign of the subdivision map would not be easy. No responses to their offer to sell the house for $1. Will not take any action until June 13th.

Granville Homes is willing to donate olive trees to the Discovery Center and have a plaque at that site. Also stresses that the ranch site was important, not the house itself. Ranch was originally larger.

**Don Simmons:** Why does the caveat for “late discoveries” not apply?

**Jeff Roberts:** No doubt about Wills popularity. But feels that his success had nothing to do with this property and regardless, facts have been presented all along.

**Don Simmons:** Is there any evidence that Wills didn’t do anything of importance at this ranch?

**Roberts:** Burden of proof is not with the owner.

**Lisa Woolf:** What would the owner do if the property was designated?

**Roberts:** They would probably fence it, as it does not complement their proposed project.

**Chair Simmons opened the item to the public:**

**Patrick DeLucca (State President, California Old Time Fiddlers Association):** Home may be dilapidated. Dismisses the comment that property has no integrity. Granville is attempting to circumvent purpose for Commission and Historic ordinance. He commends staff for their due diligence. Does not appreciate “steamrolling” to Council with or without Commission. Recommends that portion of the ranch be used for a public park where events can occur. People from all over the nation play, learn from and appreciate Bob Wills. Recommends that a non-profit group could own and manage the facility. Use it as a museum and educational center to attract musical interests.

**Donn Beedle (3625 W. Barstow).** He supports the recommendation that the ranch (specifically the residence) be placed on the Local Register. He is a retired planner and long-time fiddler and has played with former members of Wills’ band. Wills and the Playboys are cultural icons nationally and locally. Western swing mixes traditional country music with jazz and is now played all over the world. As a band leader, Wills was on a par with Tommy Dorsey and Benny Goodman. Locally, Wills and the Playboys played in clubs as well as at military functions during World War II (his mother mentioned going to dances at Hammer Field.) There should be ways to capitalize on circumstance and draw from Wills’ popularity, through festivals for example honoring him. Although the house is in disrepair it could potentially be integrated into a creative alternative use.

**Steve Basile:** He is a retired county planner and host of the radio show, Fresno Barn Dance. Wills’ time spent in Fresno was the most productive of his career. Had the best band of his career and recorded dozens of songs. He was represented by MCA during this time.
Bruce Owdom, Esq (Secretary, Fresno Historical Society Preservation Committee and on the Board of Trustees). This is a unique opportunity to preserve a unique property, and to commemorate Wills and his musical influence. There is nothing else like this. He urges support for the staff recommendation.

Joan Pillow (321 Bethel Avenue, Sanger, CA): Wonders how long William Saroyan lived in the second of two houses which are on the Local Register? Did he write the Human Comedy there? It was a tract home, correct? She and her husband have a country music band and they and others are in support of honoring this property, which is so important to the entire San Joaquin Valley.

Public Testimony was closed by Chair Simmons.

Karana Hattersley-Drayton: No action is scheduled for the City Council on the 23rd. The item is only on the Public Communication portion of the agenda [placed there by Granville Homes’ staff].

Don Simmons: Is the staff recommendation then to forward the item to the City Council, rather than to continue it?

Karana Hattersley-Drayton: Yes, the consideration of continuation was based on attempts to understand and work with the property owner.

Patrick Boyd: He can commensurate with Granville Homes and feels that they have acted appropriately. Commission is asked to act on issue of significance and not process. Wanted to see Wills’ legacy tied to this property. He remarks on the fact that we never have this kind of attendance at HPC meetings. He feels that Criterion i is weak, but Criterion ii is “nailed.”

Lisa Woolf: She is also for mutual solutions. Does not feel that the trees contribute.

Charlotte Konczal: The site is as important as the residence because of the ranch setting. The original ranch was 80-acres so perhaps the house would be moved. Concurs with Commissioner Boyd that significance is not so much under Criterion I but definitely Criterion ii.

Don Simmons: Also concurs on Criterion ii. Notes that there are National Register properties that are associated with persons who spent less time at the particular location than Wills did at the ranch. Also concurs with Criterion i.

On a motion by Konczal with a second by Boyd the Commission found that the Triple B Ranch property was eligible to the Local Register under Criterion ii and referred it to City Council for consideration (4-0-1 with Moore recused).

There was a brief recess. The meeting was called back to order at 7:15 PM.

C. Review and Provide Comments on the Evaluation of Historic Resources within the Area of Potential Effects (APE) for the Proposed Fulton Mall Project Pursuant to 36 CFR (Federal Code of Regulations) Part 800.2(c)(3)(5) and FMC 12-1606(b)(12) and 12-1606 (a)(1). (ACTION ITEM).

1. Review and provide comments on the project’s proposed Area of Potential Effects (APE) pursuant to 12-1606 (b)(12).
2. Review and provide comments on resources within the APE for eligibility to the National Register of Historic Places Pursuant to FMC12-1606(b)(12).

Staff Recommendation: Provide Comments. Concur with the evaluation of the following buildings as eligible to the National Register of Historic Places: The Helm Building, 1101 Fulton Mall; Luftenberg's, 901 Fulton Mall; Radin-Kamp (J.C. Penney's) 959 Fulton Mall; T.W. Patterson Building, 2014 Tulare; Gottschalk's Department Store, 802 Fulton Mall.

3. Review and provide comments on resources within the APE for their eligibility to Fresno's Local Register of Historic Resources pursuant to FMC 12-1606 (a)(1).

Staff Recommendation: Concur that the following properties appear eligible for listing on Fresno's Local Register of Historic Resources: The Kress Building, 1118 Fulton Mall; Luftenberg's, 901 Fulton Mall; the City's Spiral Garage, 801 Van Ness Avenue; Gottschalk's Department Store, 801 Fulton Mall; and the Brix Building, 1221 Fulton Mall. Consider eligibility of 1133 Fulton Mall due to association with William Helm.

**Karana Hattersley-Drayton** presented a comprehensive Power Point which summarized the proposed Fulton Mall project, the source of funding, federal protocols for Section 106, the definition of an Area of Potential Effects (APE), properties considered for National versus California or Local Register within the proposed APE, etc.

**Commissioner Moore:** Commented that the cornice treatment on the Kress Building is foam, and was added during the restoration two years ago.

**Chair Simmons** asked about the Gottschalk's Building.

**Karana Hattersley-Drayton** responded that the Gottschalk's Building was evaluated several years ago for the National Register when the City contemplated using federal funds to convert the building to an ice rink. That evaluation was more than five years ago and does not preclude current evaluation. She also reminded the Commission that they are only providing comments tonight on potential historic status; actual review for nomination (for Local Register listing) could come back to the Commission at a future time.

**Joe Moore:** Wonders about buildings not before the Commission but which are in the APE, such as the Berkeley Building with its barrel vaulted awning on the facade.

**Paul Travis (consultant, Historic Resources Group):** HRG evaluated all buildings individually for their potential listing on the National (California and Local Registers) and also looked at each as a contributor to a potential Fulton Mall Historic District. Many buildings may not have risen to the threshold of individual eligibility but were considered as part of the district. However, a "Fulton Mall Historic District" [thus the buildings, not the Garrett Eckbo designed Mall itself] did not "hold together."

**Joe Moore:** Some of the arguments made for the designation of the Luftenburg's Building could be made for the Berkeley Building, which Moore feels has more architectural interest.

**Paul Travis:** With the Luftenburg, he felt that the cladding and all the original elements were there whereas the Berkeley Building had lost too much integrity to qualify individually.

**Chair Simmons** directed the Commission to focus on C1, thus comments on the Area of Potential Effects.
The discussion was opened to the public to comment on the proposed project APE. There were no comments from the public.

Commissioner Moore made a motion to concur with the staff recommendation, that the APE as presented for this proposed project is adequate. There was no second as there followed a discussion within the Commission as to whether a motion was appropriate or not on a non-action item [thus on ordinance sections that call for comments and review, rather than approval]. Commissioner Konczal, an attorney, felt that the Commission could NOT make a motion under the circumstances. Nevertheless, the Commission communicated their agreement with the proposed APE.

C2: Chair Simmons stated that the Gottschalk’s and T.W. Patterson Buildings are a first priority for him. He also likes the Luftenburg Building.

Joe Moore: Stated he was not sure whether the Luftenburg Building met the criterion for NR designation. Feels that the Commission should also be looking at the Brix Building which has had significant changes but may warrant a second look.

The discussion of buildings within the APE which are considered eligible for the National Register was opened to the public.

Steve Wei: He also is unsure whether the Luftenburg was identified as eligible due to its merits and character or simply to its Integrity. There may be further associations and thus historic significance for the Berkeley Building. It has bold simplicity and is superior to Luftenberg’s as a representative of 60s structuralism.

John Rupe: Has done research on the Brix Estate Building and shared his photographic information regarding Helm and Brix and the changes over time. States that the Kress Building is not the only building hiding original architectural features behind a newer façade [ed. Note: the original Kress has since been revealed through removal of the façade improvement of the 60s.].

Joe Moore: Comments on original fabric of the Brix Building which has been retained on upper floors.

Hattersley-Drayton: Commented on the importance of William Helm and his connection to this building as well.

Joe Moore: Commended Mr. Rupe for his research. [Ed. Note: John Rupe creates models of early Fulton Mall buildings as a hobby, using historic photographs and Sanborn maps.]

Chair Simmons commented on the Spiral Garage.

Joe Moore: stated that the Spiral Garage has good significance and great integrity and is one of the more sculptural garages that you will find.

Simmons: Mentioned that a visiting professor was very impressed with the architecture of the garage.

Lisa Woolf: Commented that she does not have a good feeling about the Luftenburg Building...

Joe Moore: The Luftenburg Building was not recommended for designation based upon architectural merit but rather due to its integrity [to its period of significance.]
Paul Travis (HRG): Actually, also because the building is an excellent example of a building from the redevelopment period in Fresno.

The Chair closed the public comment period on C2.

Simmons (?): May wish to consider the Berkeley and/or the Brix Estate Building for the National Register but he is skeptical of Luftenberg’s significance. He also commented on the signage which is integral to the Luftenberg’s… since the business is getting ready to move out of this building, what will happen to the sign and how will that change the architectural significance?

C3: Joe Moore: The Luftenburg sign is actually an adaptation of the original. He again states that he is more of a fan of the Berkeley Building.

Charlotte Konczal Esq. Concurs with Moore’s statement. Luftenburg should be looked at but is not eligible for the National Register.

Simmons asked the consultant to elaborate on their rationality for a District evaluation.

Travis: Reminds commissioners that the entire survey will be returning to the Commission for a full review. The issue for a potential Fulton Mall Historic District was that there were not enough contributors to equal 50%, as required.

Joe Moore: In his opinion the Park Tower Complex has a high degree of architectural detailing; also wonders about the Robert Stevens building. May find that there are additional contributors based upon age.

Consensus that the Berkeley Building appears eligible for listing on the Local Register of Historic Resources.

Craig Scharton (City Manager’s office) mentioned that the purpose of this study is to get a clear understanding of what downtown buildings are important, as they work on developing new zoning guidelines. Also want to foster interest among owners.

Don Simmons wondered if the Park Tower was within the APE.

Joe Moore responded that some of this complex is within the APE.

Simmons: Raises a concern about whether the APE should cross Van Ness, or not?

Phil Vallejo (Caltrans District 06 staff): It is a stretch to say that there would be an impact to the courthouse due to the vehicular nature of Van Ness.

Joe Moore: Is there no aspect of the project that continues into the courthouse park?

Elliot Balch (Downtown Manager, City of Fresno): Answers, “No.”

Steve Well (public): one alternative featured in prior plans removed the pedestrian underpass structure with encroachment into Courthouse Park, with a true intersection at Mariposa Mall and Van Ness.

Discussion of Proposed Fulton Mall project concludes.
VII. CHAIRPERSON’S REPORT

A. Consider Change in Start Time of Historic Preservation Commission Meetings from 5:30 P.M. to 6:00 P.M.

Commissioner Moore asked that the item be tabled until all commissioners are present to discuss. Motion to table item was approved.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

There were no additional comments from Commission.

B. Staff


Karana Hattersley-Drayton commented that the comprehensive schedule of events was very successful and well attended, with great coverage from the press. There are already discussions about next year.

C. General Public

Steve Wei voiced his concern about impact to the Mission Revival style PGE substation building on G Street due to indirect impacts from mitigation for the High Speed Rail underpass at G and Fresno.

Karana Hattersley-Drayton: Believes that the building is included in the HRG Fulton Corridor Specific Plan Historic Survey and was found eligible for listing on the National and California Registers.

IX. NEXT REGULAR MEETING: June 24, 2013.

X. ADJOURNMENT

The meeting was adjourned at 8:56 PM.

Respectfully submitted:

Karana Hattersley-Drayton (Secretary, HPC)
Will Tackett (Recording Secretary, HPC)
I. CALL TO ORDER AND ROLL CALL
Chair Simmons called the meeting to order at 5:36 P.M.
Commissioners Present: Boyd, Simmons, Smith, Woolf
Commissioners Absent: Konczal and Moore
Staff Present: Hattersley-Drayton and Tackett

II. APPROVE MEETING MINUTES
   A. Approve Minutes of May 20, 2013.
      The May minutes were not available.

III. APPROVE AGENDA
Commissioner Smith moved to approve the agenda with the omission of the May minutes.
Commissioner Boyd seconded the motion and it was approved, 4-0.

IV. CONSENT CALENDAR
There were no items on the consent calendar.

V. CONTINUED MATTERS
There were no continued matters.

VI. COMMISSION ITEMS
   A. Consideration of Approval of Request by the Property Owner(s) to Designate the "Calwa Rocket" Located at 4545 E. Church Avenue as a Heritage Property and Adoption of Findings Necessary to Support the Designation, Pursuant to FMC 12-1612 (ACTION ITEM).

   Karana Hattersley-Drayton gave a brief power point presentation and recommended that the "Calwa Rocket" be designated as a Heritage Property.

   Commissioner Boyd asked if the slide has been saved.

   Rosie Flores, (2470 S. Boyd) Park Administrator for Calwa Park District, mentioned that they have what they think is at least part of the original slide. She grew up in Calwa and played on the rocket as a child. The rocket is important to this community. If the structure is designated tonight it will feature prominently in a potluck barbecue event.

   Patrick Boyd: Are kids still allowed to climb through the structure?

   Ms. Flores: No, it is welded shut.
Chair Simmons asked if another structure on site was installed at the same time. (There is some confusion as to what he is referencing; he produces a photo on his phone and a District board member identifies this structure as built for a kind of ball game).

Karana Hattersley-Drayton mentioned the graffiti wall which is an important part of the park. Ms. Flores noted that there was a large event this weekend with new (temporary) paintings added.

Sandra Solana (Calwa community) remembered playing on the rocket as a child. She wondered whether designation of the rocket as a heritage property will encumber the park district; provide strings that could be an issue in the future?

Chair Simmons directed the question to staff. Karana Hattersley-Drayton replied that properties when designated are "as is," thus there is no requirement to restore them. However, park staff has mentioned their interest in repainting the rocket as it once was, and that would be great. She also mentions that, although she is not a structural engineer, the rocket seems quite stable. Any permits that would be required for future work would be reviewed by staff.

Mary Rosales, Board of Directors for the Calwa Park District, spoke fondly of the rocket and how, as a child, one could see out over the entire neighborhood. The rocket is a symbol of the park.

Karana Hattersley-Drayton notes that from research, it appears these kinds of fantasy structures are now quite rare. Chair Simmons mentions that apparently there was one in one of the Merced parks, but he is unclear whether it is still extant, or not.

Chair Simmons closed the hearing to public comment.

Motion to adopt staff recommendation designating the Calwa Rocket as a Heritage Property, adopted 4-0 (Motion, Smith, second Boyd).

B. Annual Election of Commission Chair and Vice Chair (ACTION ITEM).

Don Simmons was elected as Commission Chair and Charlotte Konczal elected as Vice-Chair, 3-0-1 (Simmons abstaining, Motion by Smith, second by Woolf).

VII. CHAIRPERSON’S REPORT

A. Consider Change in Start Time of Historic Preservation Commission Meetings from 5:30 P.M. to 6:00 P.M.

Item was tabled until all Commissioners can be present.


Karana Hattersley-Drayton showed three slides of the Triple B Ranch, allee of olive trees and the Bob Wills band and bus in Fresno, as a brief recap of the Commission's prior consideration of the Triple B Ranch for the Local Register of Historic Resources. She then introduced Lance Tullis, who is working with the property owner/developer, Granville Homes, to purchase the ranch house and relocate it to a 20-acre parcel in Fresno County off of 168 and south of Prather.
Lance Tulles: Noted that he met today with Granville Homes staff and legal counsel and has received a draft agreement that will need to be reviewed further and finalized. He has met with Dinuba Movers and understands that the porch would have to be removed prior to the move, and the roof lowered to 23’ in order to get under power lines which cross the road prior to destination. He has a 60 day escrow on the property he is acquiring. The moving permit requires foundation and electrical permits with the County. He plans to establish a 501c3 so that the building is owned by a non-profit as a Central Valley County Music Museum.

Chair Simmons asked about the olive trees.

Tulles: He has received an estimate that it will cost $1500 per tree to move and relocate them. He also estimates that it will cost $30-50,000 to move the house and another $60-100,000 to rehab it for a museum. He has contacts in Nashville. He is hoping for full funding but also looking for exposure and thus help from both the local and national level.

Patrick Boyd: Recommended taking cuttings from each tree rather than moving them. Due to their large root balls and their current age and condition, would probably lose most of the trees anyway.

Commissioner Lisa Woolf asked for the exact location of the 20-acre parcel.

Tulles replied that it is located at Morgan Canyon Road and Coyote Hills Lane.

Karana Hattersley-Drayton mentioned that the porch was extended in modern times, originally was much shallower and without a balustrade. Karana also recommends that once it is located that it be placed on the County Landmarks list in order to access the California Historical Building Code.

Chair Simmons opened the item to public comments.

Bruce Owdom, Esq. (Fresno Historical Society) extended thanks and support for the project.

Charles Barrett (Heritage Fresno) also expressed support on behalf of Heritage Fresno.

Lance Tulles remarked that he has discussed opening an account with the Fresno Regional Foundation. However, need to have a balance of $10,000 in a fund with them in order to use their 501c3. He is looking to various foundations for help including the Grammy Foundation for assistance with funding for exhibit cases, etc.

Karana Hattersley-Drayton stated that once Mr. Tulles has an agreement, and a project, there will be a lot of local interest in supporting this project.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

There were no additional reports from the Commission.

B. Staff


Karana Hattersley-Drayton reported that she was a keynote speaker at the conference on Friday, with a topic, "How to (Hopefully) Survive the Politics of Preservation: Postcards from Fresno."
2. Workshop: "Federal Tax Credits and the California Historical Building Code," Tuesday, June 25th, 1:30-4:00 PM.

Karana Hattersley-Drayton reminded commissioners and public about the training session the next day with state OHP staff and local architect, Scott Vincent.

C. General Public

There were no additional comments from the public.

IX. NEXT REGULAR MEETING: July 22, 2013.

X. ADJOURNMENT

The meeting was adjourned at 6:24 PM.

Respectfully submitted:

Karana Hattersley-Drayton, Secretary (HPC)
Will Tackett, Recording Secretary (HPC)
Historic Preservation Commission Executive Minutes

July 22, 2013                  MONDAY                  5:30 p.m.

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

I. CALL TO ORDER AND ROLL CALL
Chair Simmons called the meeting to order at 5:35 PM.
Commissioners Present: Boyd, Hatwig, Konczal, Simmons, Smith
Commissioners Absent: Moore

Staff Present: Hattersley-Drayton, Tackett, Pagoulatos and Jennifer Clark.

In taking the roll, Hattersley-Drayton noted that she had received Joe Moore's resignation today, due to a conflict in his work schedule at the radio station.

II. APPROVE MEETING MINUTES
A. Approve Minutes of May 20, 2013 and June 24, 2013.
The minutes could not be approved due to a lack of quorum what with various commissioners absent during each of the meetings. The approval of the minutes was therefore tabled until next month.

III. APPROVE AGENDA
The agenda was approved 5-0 as presented with the amendment of the minutes. Molly Smith made the motion with a second by Patrick Boyd.

IV. CONSENT CALENDAR
None

V. CONTINUED MATTERS
None

VI. COMMISSION ITEMS

A. Meet and Welcome New Development and Resource Management Director, Jennifer K. Clark.
Karana Hattersley-Drayton introduced the new Director, Jennifer K. Clark, who greeted the commissioners and expressed her personal and professional interest in historic preservation. Molly Smith asked about Ms. Clark's background which includes experience in Texas, Georgia and Missouri in housing, planning and economic revitalization.

B. Review and Provide Comments on the Proposed Revised Site Plans for the Roeding Regional Park and the Fresno Chaffee Zoo Master Plans to Address the Proposed Alignment of the High Speed Rail along Golden State Boulevard Alignment that Eliminates Vehicular and Pedestrian Use of Golden State Boulevard between Belmont and Olive Avenues Pursuant to FMC 12-1606(b)(5)(6). Specifically, Provide Comments on the Following:
1. Proposal for the Relocation of the Ponds (Mitigation Measure 4.1(a)).
2. Proposal for the Relocation of the Fresno Chaffee Zoo Administration Office (Mitigation Measure 4.2).

Patrick Boyd recused himself as he is a sub-consultant to the zoo on landscape planning. Mr. Boyd left the room.

Karana Hattersley-Drayton presented a Power Point explaining that the zoo and park’s master site plan has by necessity been redesigned due to the closure of the Golden State Boulevard entrance because of the High Speed Rail corridor. This new plan affects several issues, mostly minor, but of greatest interest to the Commission is the new design for the relocated ponds or water features. The adopted REIR indicated two ponds bisected by the entrance road from Golden State. The newly designed feature (by architect Scott Vincent) is much more in keeping with the pastoral quality of the existing ponds and is, in staff opinion, a better solution. Ms. Drayton also distinguished the Commission’s role and tasks under the City’s Historic Preservation Ordinance. Thus because the park is not a designated historic district on the Local Register, Commissioners may provide comments, rather than approval. The relocation of the Administration Building is not affected by HSR, however, it is a consequence of the zoo expansion and thus the HPC is queried for its views and suggestions.

Scott Vincent (Architect and consultant to the zoo) gave a Power Point presentation on the history, evolution and redesign of the ponds which are a contributing feature to the National Register eligible Roeding Park Historic District. He noted that the intent is to relocate the concrete benches.

Molly LM Smith: Asked to have the comparative map/plan images between existing and proposed be shown again.

Vincent: The new water features will also include wayside exhibits, as proposed by staff and commissioners at the February HPC meeting.

Jason Hatwig: Asked for clarification about the ratio of pond surface to open space.

Vincent: The new ponds were designed to meet the ratio of water to open space, vis-à-vis the smaller footprint of open space due to the zoo expansion. Thus the water features are comparative in ratio to the current ponds-park space.

Chair Simmons: Asked if wayside exhibits can document other changes to the park?

Vincent: Yes, we have latitude to decide what images and history are included in these exhibits.

Chair Simmons: Asked about the removal of trees.

Vincent: Mitigation measures in the EIR address this issue. But about 16-17 trees will be removed for the ponds, mostly newer smaller trees.

Hatwig: Wonders if benches will require restoration.

Vincent: Yes, they need some restoration and maintenance. The benches are poured in place concrete.

Hatwig: Asked about long-term maintenance, is there a plan in place?
Vincent: It is the City’s responsibility to maintain its own assets.

Konczal: Will the fountain be incorporated into the pond(s)?

Vincent: Currently a fountain is not part of the design but the water features WILL require an aeration system so a fountain can be included if requested. Details still need to be worked out and are dependent upon the biologist’s recommendations as well as whether the city wants to have live habitat... thus deeper ponds are needed if they are to be stocked with fish.

Chair Simmons: Asked about the age of the fountain.

Vincent: The age has not been determined.

Chair Simmons: Wonders if it is the same age as the fountain in Lake Washington.

Discussion between Simmons and Vincent about importance of fountain, for both setting but also to create “white noise,” to mitigate for any noise from High Speed Rail.

Smith: Recommends that there not be too much furniture around ponds. Could concrete benches be placed on the island and also be accessible?

Vincent: Yes, and landscaping will reflect existing with large canopy trees.

Konczal: Recommended that concrete coping (as currently found) be included in new ponds; also that the height of this edging needs to accommodate the needs, and accessibility for any wildlife such as ducks.

Smith: May wish to provide different treatment for public access versus areas and islands intended for wildlife.

Chair Simmons opened the discussion about the relocation of the ponds (VI. B.1a) to the public.

Joan LaRue (224 E. Cambridge). She stated that she is not aware of necessary funding to back up these plans. There is currently less than $100,000 for Roeding Park for the next five years, whereas 600,000 people a year visit and use the park and these roads, which are on the City’s property.

Konczal: Appreciates Ms. LaRue’s comment but notes that the Commission has no control over City finances or decisions; the Commission’s task is to comment on the impacts to historic resources.

Seeing no other public members wishing to speak, the agenda item was closed.

Molly LM Smith summarized the recommendations and comments of the Commission: she/they like the redesign of the ponds without the road bisecting them; wants to see at least one accessible island with mature existing trees; fountain will help to mitigate for any noise but should not detract from the bucolic context; ponds should support wildlife with same kind of habitat; benches should be relocated and refurbished with some on the accessible islands; do not include new lighting; just ambient and perhaps safety lighting for any pathways; proportion of water surface to open space appears to be accurate.
Chair Simmons added that he is not certain that there is an issue with “over-furnishing” noting that one has to almost wait in line to get a table or bench on a weekend. Would personally prefer to see more, rather than less. Appreciates retention of trees. The wayside exhibits are important. The redesign of the ponds addresses his primary concerns.

Jason Hatwig: Likes use of concrete perimeter for safety around ponds with islands using native soils as edging for wildlife.

Agenda Item VI.B.2

Scott Vincent (Architect, consultant to the Chaffee Zoo) gave a Power Point that highlighted the proposed relocation of the Zoo Administration Building and the rationale for removing newer additions prior to the move. Building is proposed to serve as the new office for Maintenance staff.

Jason Hatwig: Asked if statue was also going to be relocated.

Hattersley-Drayton: The statue of Roeding is indeed a contributor to the Historic District.

Scott Barton (Executive Director, Fresno Chaffee Zoo) noted that the image is of Reeding holding a kit fox. He would like to see it relocated to a place where it is more visible to the public.

Chair Simmons: Does not feel the public is/will be concerned with the demolition of the newer additions to the building.

Vincent: Mentioned that in addition to other architectural evidence, he checked the foundation under the building.

Konczal: Noted her concern about not leaving the building vacant, after its move.

Vincent: He deferred to the City; is not sure of timetable for maintenance division use.

Simmons: Asked if the building would have fire protection?

Vincent: It is not required to be sprinkled, due to size; however he will request that it have an alarm system installed.

This issue was opened to the public for comment.

Joan LaRue: She commented that the city’s maintenance yard is proposed to be relocated to SE Fresno. New Maintenance yard on site will be just for Roeding Park.

With no other public wishing to speak, the item was closed.

Smith: Asked who is “they” regarding funding?

Scott Barton: Financial responsibility for various mitigation measures are a point of negotiation with the City. There are a couple of options. Need to produce cost estimates with goal to have shared cost, Zoo can probably front the cost of improvements, changes with reimbursement ultimately from the City.
Resolution: Molly Smith moved that the administration building be restored to its original footprint and be relocated to an area off beaten path; recommended that an alarm system be installed after the relocation and that the Roeding statue to relocated to a place where it is more visible.

The Commission took a short recess and reconvened at 7:10 PM.

C. Review and Approve Conceptual Plans for an Addition to the Thomas R. Meux Home Carriage House (HP# 002) Located at 1007 “R” Street. (ACTION ITEM)

1. Review and Approve Conceptual Plans for an Addition to the South Elevation of the Carriage House Pursuant to FMC 12-1606(a)(2).
2. Make Determination that the Addition as Described in the Conceptual Plan is Categorically Exempt Pursuant to CEQA Guidelines, Sections 15301 and 15331 (FMC 12-1617(c).
3. Approve the Issuance of Necessary Permits to Perform the Scope of Work as Set Forth In the Conceptual Plan.

Karana Hattersley-Drayton gave a Power Point addressing the points (as above) recommending that the Commission approve the conceptual plan, the CEQA finding and approve any necessary permits as the support the approved scope.

Bob Flynn (President, Board of Directors for the Meux Home) made himself available to answer questions. In response to relocation of the AC unit (currently on the south elevation) he noted that they are going to install an internal mini-split system.

Jason Hatwig: Asked whether any material taken from south elevation (for new opening) could be used on the interior.

Flynn: He doesn’t believe that there will be enough material for this.

Smith: Noted that the new addition appears to piece the pediment of the south elevation, and she does not recommend this, from a visual perspective.

Flynn: The objective is to not have any obstruction of the pediment, but rather to have the new roof line hit below it.

Hattersley-Drayton: Mentioned, as in Power Point, that the issue of sufficient natural light, as required by the building code, still needs to be verified...

Smith: Suggested that additional natural light could be brought into the addition through opening beneath the gable on south elevation, much like current louvered vents, but make it round, for visual differentiation.

Flynn: Wondered if a transom might work?

Smith did not recommend this due to low height of respective elevation.

Hatwig: Other applications for light would be too modern.

Smith: recommended that the Commission approve the addition, keeping the current double hung
Historic Preservation Commission Executive Minutes
Page 6
July 22, 2013

sash window on the south elevation at size proposed (she marks up the elevation drawings with a round vent at gable peak).

Molly Smith moved with a second by Konczal that the Commission approved the conceptual plans for the addition to the Carriage House, with minor changes as noted on drawings. The motion carried 5-0.

Molly Smith moved, with a second by Konczal, that the Commission find that the project as proposed is Categorically exempt under CEQA Class 01 and 31. The motion passed 5-0.

Molly Smith moved, with a second by Konczal, that staff approve any necessary permits needed to support the scope of work as reviewed and approved. The motion passed, 5-0.

VII. CHAIRPERSON'S REPORT

A. Consider Change in Start Time of Historic Preservation Commission Meetings from 5:30 P.M. to 6:00 P.M.

On a 5-0 vote (Smith, motion, Konczal, second) the Commission voted to change the meeting start time to 6:00 P.M. Karana Hattersley-Drayton noted that the Commission By-Laws will need to be amended at the next meeting.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

Commission roster: Molly Smith noted that she has a new address (thus the roster needs to be updated). Konczal asked to have her work number added. Patrick Boyd’s number is actually his cell-phone.

B. Staff

Karana Hattersley-Drayton gave a brief update on the relocation plans for the Triple B Ranch.

C. General Public

Steve Weil stated his concern about the status of the Mission Revival PGE sub-station located on G Street which is within the High Speed Rail APE. The Fulton Corridor Specific Plan Historic Survey has found it eligible to the National Register but the HSR surveys did not evaluate it as eligible for any register. He stated the building has 100% integrity. He owns a vacant parcel less than a block away which would be ideal if the building needs to be relocated. Request City to be more proactive to correct oversight.

IX. NEXT REGULAR MEETING: August 26, 2013.

X. ADJOURNMENT

The meeting was adjourned at 7:58 PM.

Respectfully submitted: Karana Hattersley-Drayton (Secretary)
Will Tackett (Recording Secretary)
REPORT TO THE HISTORIC PRESERVATION COMMISSION

August 26, 2013

FROM: JENNIFER K. CLARK, Director
        Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON
        Secretary
        Historic Preservation Project Manager

SUBJECT: REVIEW AND APPROVE AMENDMENTS TO THE HISTORIC PRESERVATION BY-LAWS.

RECOMMENDATION

On July 22nd, 2013 the Historic Preservation Commission voted to change the Commission meeting start time from 5:30 P.M. to 6 P.M. As a consequence the Commission By-laws need to be amended to reflect this change as well as to provide corrections for other inconsistencies (such as the current use of electronic distribution for agendas, posting to the City website, etc). The attached draft incorporates several potential changes which are highlighted in yellow. Staff recommends that the Commission discuss, review and adopt those amendments that are consistent with current protocols and FMC sections. However, the By-laws would benefit from a formal review and possible overhaul by the City’s attorney office (CAO), thus potentially those sections in red type that are also highlighted. Staff therefore recommends that the By-laws be returned to the Commission at a future meeting with any additional recommendations from the CAO.

ARTICLE 1 - OFFICERS OF THE COMMISSION

SECTION 1 OFFICERS.

a. Chairperson, Vice-Chairperson. The officers of the Commission shall be a Chairperson and a Vice-Chairperson, who shall be members of the Commission elected by the Commission as soon as practicable, following the first day of June of every year, and who shall serve at the pleasure of the Commission. A term of office is July to June.

   (1) In the conduct of the elections referred to in Charter Section 904, the Commission shall endeavor to conduct its nominations and elections such that each Commissioner desirous and able of doing so shall have the opportunity of serving as Chairperson.

b. Secretary. There shall also be a Secretary, designated by the Development and Resource Management Department, who shall not be a member of the Commission. Upon such filling, the person designated shall be vested with all the powers and duties of Secretary pursuant to these Bylaws and the Code.

SECTION 2 POWERS AND DUTIES OF OFFICERS.

a. The Chairperson shall preside at all meetings of the Commission, swear witnesses in all proceedings of the Commission where sworn testimonies are taken, and exercise and perform such other powers and duties as are conferred upon the Chairperson by law and these Bylaws.

b. The Vice-Chairperson shall have and perform all the powers and duties of the Chairperson in the absence of the Chairperson from any meeting of the Commission or whenever the Chairperson is unable for any reason to act.

c. The Secretary shall:

   (1) Keep and record the minutes of all meetings of the Commission and furnish a copy of the minutes of each regular and special meeting to each member of the Commission;
(2) Keep complete files of all communications to the Commission, all pleadings and documents filed with the Commission, and all other necessary records of the Commission;

(3) Act as custodian of the minutes and of all the books, documents, papers and records of the Commission;

(4) Perform such other duties as the Commission may from time to time prescribe.

ARTICLE 2 - MEETINGS

SECTION 1 REGULAR MEETINGS.

The regular meetings of the Commission shall be held on the fourth Monday of every month at 6:00 p.m. at the City Hall of the City of Fresno or such other place as shall be determined in advance and announced by posting notice thereof on the official bulletin board at the City Hall. Whenever a regular meeting date falls on a holiday, such regular meeting shall be held at the same hour on the next agreed upon meeting day. The Commission may, however, on a majority vote of its members, dispense with any regular meeting. Regular meetings shall generally be concluded by 9:30 p.m. unless extended by the Commission.

SECTION 2 SPECIAL MEETINGS.

A special meeting may be called at any time by the Chairperson at his or her discretion, and the Chairperson shall call a special meeting at the written request of four members of the Commission. (Any applicable fees [unless waived] required by the Fresno Municipal Code shall first be paid by the applicant.) Notice of each special meeting shall be given by delivering personally, by electronic mail or by post a written notice thereof to each member of the Commission. Such notice must be delivered personally, by electronic mail or by post at least 48-hours before the time of such meetings as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted, and no other business shall be considered at such meeting. Such written notice may be dispensed with as to any member of the Commission who, at or prior to the time the meeting convenes, files with the Secretary a written waiver of notice. Such waivers may be given by e-mail. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.
SECTION 3 ADJOURNED MEETINGS.

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in Section 2 of this Article for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24-hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this Section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified in these Bylaws for regular meetings.

SECTION 4 QUORUM.

A majority of the seated members of the Commission shall constitute a quorum for the transaction of business. Except as may be otherwise provided by law and by these Bylaws, a majority of a quorum may decide all matters of business which come before the Commission.

SECTION 5 RESOLUTIONS AND MOTIONS.

The actions and decisions of the Commission at any meeting shall be expressed by motion, duly seconded. The adoption by the Commission of findings or recommendations to be made and reported to the City Council may be made by resolution adopted on motion, duly seconded and carried.

SECTION 6 REPORTS TO THE CITY COUNCIL.

When the Commission has by resolution made a recommendation to the City Council, this action shall be reported to the City Council as soon as practicable thereafter, but before or with the item except as otherwise provided for in the Code. The action of the Commission shall be reported by the Director or a member of the Director’s staff designated by the Director, but the Chairperson, or in the Chairperson’s absence, the Vice-Chairperson, or another member of the Commission appointed by the Chairperson, shall be present at the City Council meetings when deemed advisable by the Commission.
SECTION 7 ORDER OF BUSINESS.

At the regular meetings of the Commission, the following shall be the order of business:

I. Call to Order
II. Approve Minutes
III. Approve Agenda
IV. Consent Calendar
V. Continued Matters
VI. Commission Items
VII. Chairperson’s Report
VIII. Unscheduled Items
   A. Members of the Commission
   B. Staff
   C. General Public
IX. Next Meeting
X. Adjournment

The presiding officer may vary the order of business whenever, in the presiding officer’s discretion, it will expedite the conduct of the meeting. (AMENDED 07/28/97)

SECTION 8 AGENDA.

a. Agenda. The order of business of the Commission shall be conducted from a written agenda prepared by the Secretary in consultation with the Chairperson. The agenda shall specify the time and location of the meeting and a brief general description of each item of business to be transacted or discussed. Matters to be brought before the Commission shall be processed as provided in this Section. The Secretary, in consultation with the Chairperson, shall decide what items of business shall be placed thereon, and shall place such items of business on the agenda for any regular or special meeting of the Commission. Items of questionable necessity shall be placed on the agenda by the Secretary after consultation with the Chairperson or Vice-Chairperson. A Commission member may request the Secretary to place any matter on the agenda, and it shall be so placed unless the Chairperson or Vice-Chairperson rules that the matter is not germane to Commission business as provided by law. In the case of such ruling, the Secretary shall place the request and the ruling before the Commission for its decision at the next regular meeting. In general, there shall be no more items on any one agenda than can reasonably be accommodated within the time allotted for the meeting. These may be composed of applications for nominations to the Local Official Register of Historic Places, formation of historic districts, significant permit or demolition requests, and such other items of business as may be before the Commission. Where it is deemed
desirable to limit the number of applications at one meeting, this may be done. When the work load becomes exceptionally heavy, special meetings shall be called.

b. **Distribution of Agenda.** The Secretary will endeavor to make materials to be considered by the Commission available for distribution to interested persons by 4:00 p.m. of the Friday before any regular meeting. This distribution shall include posting the agenda and the staff reports on the City’s website. Additional paper copies will be available to the public upon request. At least 72-hours before a regular meeting, the Secretary shall post a copy of the agenda in a location that is freely accessible to members of the public and shall sign and maintain a declaration of the time and place the agenda is posted.

c. **Matters Not on Posted Agenda.** Notwithstanding Article 2 Section 8a, the Commission may take action on items of business not appearing on the posted agenda under any of the following conditions:

   (1) The Commission determines by a two-thirds vote, or if less than two-thirds of the Commission members are present, a unanimous vote of those members present, that the need to take action arose subsequent to the agenda being posted as specified in Article 2 Section 8a. A separate vote shall be taken in making any such determination. The Secretary shall reflect in the minutes what the need for action was and why the need arose after the posting of the agenda.

   (2) The item was posted pursuant to Article 2 Section 8a of these Bylaws for a prior meeting of the Commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

d. **Procedure for Alleged Violation of Open Meeting Rules.** Prior to any court action being commenced pursuant to Government Code Section 54960.1(a), the interested person shall make a demand of the Commission to cure or correct any action alleged to have been taken in violation of Government Code Section 54953 requiring that Commission meetings be open and public, or of Article 2 Sections 2 or 8. The demand shall be in writing and clearly describe the challenged action of the Commission and nature of the alleged violation. The written demand shall be made and shall be filed with the Secretary within 30 days from the date the action was taken. Within 30 days of such filing, the Secretary shall place the matter on the Commission agenda for Commission consideration. The Commission shall either cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct, or inform the demanding party in writing of its decision not to cure or correct the challenged action. If the Commission takes no action within the 30-day period following such filing with the Secretary, the inaction shall be deemed a decision not to cure or correct the challenged action.
Upon receipt of a demand described above, an item with two subitems shall be added to the next meeting’s agenda, as follows:

(1) The first subitem shall be consideration of the demand, i.e., whether the challenged action can reasonably be said to have violated the Brown Act. Such subitem may be considered in a closed session pursuant to Government Code Section 54956.9.

(2) The second subitem shall be consideration of the underlying subject matter of the challenged action if the Commission decided, in considering the demand, that the challenged action may have violated the Brown Act.

Should the Commission determine that corrective action is warranted as to any challenged action, it shall adopt a corrective action stating that the original action is superseded or rescinded as of the effective date of the correction action. Such corrective action shall also describe the original action and why the corrective action is being taken.

SECTION 9 CONTINUANCES.

No hearing or other matter before the Commission shall be continued except as follows:

a. Upon receipt of a request by the applicant or his representative for good cause shown in writing, and prior to the distribution of the official public notices announcing the time and date of the meeting, the Director or Secretary may reschedule the hearing date.

b. Upon receipt of a request of the applicant or his representative for good cause shown in writing, after the hearing or other matter has been announced by official public notice, but no less than five days prior to the scheduled hearing date, and upon payment by the applicant of the applicable fee to cover costs of public notification and readvertising, the Director or Secretary may schedule the hearing date.

c. Upon motion of a member and a two-thirds vote in favor thereof, the Commission may continue any matter or hearing which may be legally continued. In addition, the Chairperson, with the consensus of the Commission members present, may continue those items on the agenda which, at any point deemed appropriate during the meeting, the Chairperson determines cannot or will not be heard and completed within the remaining time allotted for that session.
SECTION 10 OTHER RULES FOR CONDUCT OF MEETINGS.

Robert’s Rule’s of Order (revised edition) shall govern in all matters of procedure not provided for herein or in the Code.

SECTION 11 CONDUCT OF HEARINGS.

Meetings shall be expedited to prevent undue or unnecessary delay. When a hearing is closed, it shall remain closed except when the matter is continued to another date in which case the Chairperson may open the hearing for its continuance, and except when the Commission, upon two-thirds vote, opens the hearing. Unsolicited comments and additions of the City staff shall be made prior to the close of the hearing. Commissioners may at any time address pertinent questions to any person. Testimony, information and arguments made at hearings shall be germane to the question before the Commission and irrelevancies such as comments on race, religion, creed, political matters, etc., shall be ruled out of order by the Chairperson.

SECTION 12 ORDER OF PROCEDURE.

The following shall be the order and procedure to be followed in the conduct of hearings:

a. Initial staff report and analysis
b. Applicant’s presentation
c. Members of the public favoring the application
d. Members of the public opposing the application
e. Staff summation (if necessary)
f. Applicant’s rebuttal (by one representative)
g. Close the hearing
h. Discussion and action, if any, by the Commission

SECTION 13 LIMITING LENGTH OF PUBLIC DEBATE.

The Chairperson, with the concurrence of the Commission, may limit either the number of persons speaking on a matter and/or the length of such oral presentations when, in the Chairperson’s discretion, doing so:
a. Is reasonably necessary to avoid an undue consumption of time or a repetition of points or facts; or

b. Will expedite the conduct of the meeting; and,

c. Will not deprive a person of a right guaranteed under applicable law.

SECTION 14 NEW MATTER.

The Chairperson should refuse to allow the receipt and consideration of matter, documents or writings at the time of the hearing which have not been previously provided to staff for analysis at least three working days prior to the time offered for Commission consideration.

ARTICLE 3 - COMMITTEES AND REPRESENTATION ON OTHER BOARDS

SECTION 1 APPOINTMENT OF COMMITTEES.

The Chairperson shall appoint such committees of Commission members as the Commission shall from time to time authorize to investigate and report to the Commission on matters within its jurisdiction. (Do we want to add the 1-year issue?)

SECTION 2 PUBLIC REPORTS.

Once every City fiscal year, the Commission may issue a public report setting forth its consensus on the general state of City preservation efforts in the City of Fresno. After the adoption of such a report by the majority of the Commission, those voting in dissent may concurrently submit a minority report. This report shall reflect the views of the Commissioners and shall not be prepared in consultation with the staff or the City Council.

ARTICLE 4 - DOCUMENTATION

SECTION 1 POLICY.

Policy for the guiding of the Commission when not set forth by law may be adopted by resolution of the City Council. In the absence of established policy, the Commission may by resolution establish policy and may request confirmation of such policy by the City Council.
SECTION 2 STAFF REPORTS AND SERVICES.

On all applications for placement on the Local Official Register of Historic Places and other matters which may be brought before the Commission, the Director shall furnish written reports containing an analysis and recommendation. The Commission shall look to the Director for all information and staff services. The Director will be responsible for all assignments of staff members. Where reports have been prepared, it is the responsibility of the Commission to personally inspect the properties under consideration.

ARTICLE 5 - ETHICS

SECTION 1 CONFLICT OF INTEREST.

No member of the Commission shall make, participate in making, or in any way attempt to use the Commissioner's official position to influence a Commission decision in which such Commissioner knows or has reason to know he or she has a financial interest, as defined and made applicable to Preservation Commissions under Article 1, Chapter 7, Title 9 of the Government Code (Conflicts of Interest Law, Section 87100, et seq.).

SECTION 2 DISCLOSURE OF INTERESTS.

Commission members shall file those statements disclosing the interests required of and made applicable to the Commission under Article 3, Chapter 7, Title 9 of the Government Code (Conflicts of Interest Law, Section 87300, et seq.) and the City of Fresno's Conflict of Interest Code.

SECTION 3 APPEARANCES BEFORE THE CITY COUNCIL.

Any Commissioner presenting a minority report to the City Council may do so as a member of the Commission, but shall make it clear to the City Council that such member is not presenting the sentiment of a majority of the Commission.

SECTION 4 ATTENDANCE BY THE COMMISSIONERS.

No member of the Commission will be absent from three (3) regular Commission meetings during a single fiscal year. Should a Commissioner accrue three (3) unexcused absences, the Secretary of the Commission will notify that Commissioner in writing that a discussion will be held in a closed session of the Commission to determine if the Commissioner is willing and able to continue to meet their responsibilities to the Commission. An excused absence from a Commission meeting may be obtained by
providing notice of the proposed absence, verbally or in writing, to either the Chairperson or the Secretary.  (AMENDED 07/28/97)

ARTICLE 6 - AMENDMENTS TO RULES

SECTION 1 AMENDMENTS TO BYLAWS.

These bylaws may be amended by the Commission by a majority of all the members thereof at any regular or special meeting when at least ten days written notice of the proposed presentation of such amendment at such meeting has been given all members of the Commission in the manner prescribed herein for special meetings or when announcement of the proposed presentation of such amendment was recorded in the minutes of the previous regular meeting of the Commission.

ARTICLE 7 - DEFINITIONS

SECTION 1 DEFINITION OF TERMS. For the purpose of these Article 2 Section 8a, certain words, phrases and terms shall be construed as specified in this section.

a. "Commission" shall mean the Historic Preservation Commission of the City of Fresno as defined in Article 16, Section 12-1603.e of the Municipal Code City of Fresno.


c. "Bylaw" shall mean by the Code, the Charter of the City of Fresno, the Constitution of the State of California, and any law of the State of California made, applicable to chartered cities.

d. "Director" shall mean Director of the Development and Resource Management Department.

e. "Secretary" shall mean the Director of the Development and Resource Management Department or his or her designee.

[Add section regarding adoption of amendments, vote and date …]
August 26, 2013

FROM: JENNIFER K. CLARK, Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON
Secretary
Historic Preservation Project Manager

SUBJECT: REVIEW AND APPROVE PERMITS FOR THE REHABILITATION OF THE REAR EXTENSION OF THE COWDREY HOME (HP#033) LOCATED AT 330 N. PARK AVENUE.

RECOMMENDATION

Staff recommends that the Commission review the work currently in progress and meet with the property owner to discuss alternatives. Staff further recommends that the Commission require that the façade windows be replaced with original wood sash and that the new vinyl windows on the south elevation also be replaced with wood. Replacement of vinyl sliders on the north rear elevation bedroom will depend upon whether the openings can accommodate wood sash and still meet exiting requirements for fire safety. The issue of the rear addition siding is the most complex, due to funding challenges. However option 3, thus retention of the T-1-11 as a nailing base for new appropriate cladding, seems the most reasonable.

EXECUTIVE SUMMARY

The Cowdrey Home (HP#033), located at 330 N. Park Avenue was built circa 1900 and is an "I" House, a vernacular housing type found throughout the Midwest and South. Thus the 2 story volume that faces onto Park Avenue has a symmetrical façade and is a two story one room deep home. The house form is so prevalent in rural Indiana, Iowa and Illinois that cultural geographer Fred Kniffen called the type an "I" house. Folklorist/geographer Henry Glassie’s research on folk housing in Virginia analyzed the I house as the folk response to the two-room deep Georgian House, a form which was not well adapted to the hot climate of the South. The "I" House is rare in Fresno. A one story "addition" on the rear has existed since 1906 giving the home’s footprint a "T". A second partial story was added to this addition by 1919 and a barn, once located at the rear of the property was by 1919 removed.

The home has suffered significant alterations over the years, including the non-approved change-out of double hung sash windows on the second story of the façade. The home was bought at auction several months ago and the property owner is currently rehabilitating the home for residential use for his extended family. Unfortunately none of the work completed recently was permitted. A stop work order was posted at the site on August 13th and Preservation staff met that day with the family member doing the construction at the property. On August 14, 2013 Historic Preservation, Building and Community Revitalization staff met with the owner and his representative to get an overview of the owner's plans and to ascertain what work needed permits, what work did not require permits and what work needed review by the Historic Preservation Commission. Minimally, permits will be required for electrical, plumbing and siding.
In this August 14th meeting the following conditions were agreed to by the property owner:

• Façade sliders (changed long before his purchase) will be replaced with original wood double hung sash windows stored on site.
• The Queen Anne style multi-light window on the north elevation will be carefully preserved.
• The wood balustrade and porch floor will be repaired and restored in-kind (with wood).
• New windows on the one and two story existing rear addition, particularly on the south elevation, will be replaced by 1/1 wood sash. Small sliders on the second story were allowed as they replaced piercings of a similar size and new larger holes would need to be cut to add sash windows. These windows are also not visible from the street.
• A question that has yet been settled regards the two new vinyl sliders on the north elevation of the one story addition. As these are windows for a bedroom, the owner must calculate whether double hung sash windows can be placed in this room and still meet exiting requirements under the California Historical Building Code. The current windows are 4x4'. Under the California Historical Building Code double hung sash windows may be somewhat smaller but one at least must have a 3.3 sq foot net opening.

Following the meeting with the property owner a building inspector was sent to the site to prepare a pre-inspection report. Unfortunately he discovered that the siding which the property owner applied horizontally (and which is thus more in keeping with the historic context of the building) is T-1-11 plywood siding which is NOT structurally rated to be installed with the grooves horizontally.

BACKGROUND

Pursuant to FMC 12-1617 the Historic Preservation Commission has the authority to review and approve all permitted work on a designated historic building with the exception of "non-substantial alterations" which the "Specialist" (Historic Preservation Project Manager) may approve "in the name of the Commission." On a weekly basis Preservation staff reviews and approves permits such as roof replacements, addition or change-out of air conditioning units, etc. Interior work such as plumbing and wiring also generally falls under the definition of "non-substantial alterations." Windows and siding, however, are character-defining features of a historic building that if altered require the Commission's review and approval.

The replacement of existing windows with vinyl sliders on the Cowdrey Home has been addressed as above. Staff recommends that the Commission require replacement of façade windows with original wood sash (to match existing), as well as the replacement of the windows on the south elevation of the back extension also with wood double hung sash. Due to the fact that windows on the rear of the north elevation are on a bedroom, building staff will need to work with the owner to see whether wood sash windows can be inserted in place of the new vinyl sliders and still meet exiting requirements for fire. Staff also recommends that the Commission accept the two small slider windows on the second story rear (bathroom) which are not visible from the street.

The headache of course is what to do with the T-1-11 siding, which not only was applied without permit but which also does not meet building codes for structural integrity. There are three possible options:

1) Remove the T-1-11 siding altogether and apply a siding that meets building codes as well as historic review, such as a horizontal lapped wood siding or even hardi-board.
2) Remove the T-1-11 siding and reapply it vertically, with approval of the Historic Preservation Commission. Although the vertical siding would be difficult to see from the street, it is in fact not a preferred protocol for historic buildings. Additionally, it is unlikely that the siding can be removed and reused due to the extensive use of nails.

3) The preferred option may be to retain the T-1-11 siding and use it as a nailing base for an additional cladding of shingles or horizontal siding of materials which meet with the approval of the Historic Preservation Commission. The Building Department would allow, as a last resort only, a temporary occupancy until the corrections were made and final permits issued following inspection. A security deposit is normally required, however, to ensure that the corrections are made. This deposit, and funding in general, appear to be an issue for this family. Preservation staff has in fact made inquiries regarding financial assistance to help with this issue, with no success to date.

Attachments:  
Exhibit A - Survey Forms for the Cowdrey Home Prepared May 1978.
Exhibit B - Photos of the Cowdrey Home March 2013 and August 2013.
HISTORIC RESOURCES INVENTORY

IDENTIFICATION

1. Common name: Cowdrey Residence

2. Historic name, if known: Cowdrey Residence

3. Street or rural address: 330 Park Street
   City: Fresno, California
   ZIP: 93701
   County: Fresno

4. Present owner, if known: Mary Cox
   Address: 1256 Van Ness
   City: Fresno, California
   ZIP: 93721
   Ownership is: Public [ ] Private [x]

5. Present Use: Residence
   Original Use: Residence
   Other past uses:

DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:
   Two story wood frame hipped roof structure. Double pitched hip, originally shingled, has been capped with a composition cap sheet. Attached front portico with hipped roof supported by 4 columns and 2 pilasters. 2 x 2 posts on railing spaces 2 inches apart gives a delicate look in contrast to the simplicity and starkness of the rest of the house. Channel siding laid horizontal and straight 1 x 6 corner and window trim.

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

8. Approximate property size:
   Lot size (in feet) 75
   Frontage
   Depth 121.8
   or approx. acreage 0.21

9. Condition: (check one)
   a. Excellent [ ]
   b. Good [ ]
   c. Fair [x]
   d. Deteriorated [ ]
   e. No longer in existence [ ]

10. Is the feature a. Altered? [ ]
    b. Unaltered? [x]

11. Surroundings: (Check more than one if necessary)
   a. Open land [ ]
   b. Scattered buildings [ ]
   c. Densely built-up [x]
   d. Residential [x]
   e. Commercial [ ]
   f. Industrial [ ]
   g. Other [ ]

12. Threats to site:
   a. None known [ ]
   b. Private development [ ]
   c. Zoning [ ]
   d. Public Works project [ ]
   e. Vandalism [ ]
   f. Other [x] neglect

13. Date(s) of enclosed photograph(s): May 1978
NOTE: The following (Items 14-19) are for structures only.

14. Primary exterior building material:  
   a. Stone  
   b. Brick  
   c. Stucco  
   d. Adobe  
   e. Wood  
   f. Other ____________

15. Is the structure:  
   a. On its original site?  
   b. Moved?  
   c. Unknown?

16. Year of initial construction  
   This date is:  
   a. Factual  
   b. Estimated

17. Architect (if known):

18. Builder (if known):

19. Related features:  
   a. Barn  
   b. Carriage house  
   c. Outhouse  
   d. Shed(s)  
   e. Formal garden(s)  
   f. Windmill  
   g. Watertower/tankhouse  
   h. Other ____________  
   i. None

SIGNIFICANCE

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):

   Example of turn of the century residence. Middle class type dwelling. A standard yet comfortable design. The residence of J. A. Cowdrey from 1904 to 1917. Mr. Cowdrey was a manager of a business in the downtown area.

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

22. Sources:  
   List books, documents, surveys, personal interviews, and their dates:

23. Date form prepared:  
   By (name):
   Address:  
   City  
   ZIP:
   Phone:  
   Organization:

   (State Use Only)
| State of California — The Resources Agency |
| DEPARTMENT OF PARKS AND RECREATION |
| CONTINUATION SHEET |

| Resource: Cowdrey Home 330 N. Park (HP#033) |

*Recorded by: Karana Hattersley-Drayton*  *Date March/August 2013*

Exhibit B (Staff Report HPC August 26, 2013)

| Primary # |
| HRI# |
| Trinomial |

*Required information*
REPORT TO THE HISTORIC PRESERVATION COMMISSION

August 26, 2013

FROM: JENNIFER K. CLARK, Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON
Secretary
Historic Preservation Project Manager

SUBJECT: REVIEW STATUS OF THE FRANK J. CRAYCROFT HOME (HP#182) 6545 N. PALM AVENUE PURSUANT TO FMC 12-1626.

RECOMMENDATION

The Frank J. Craycroft Home (HP# 182) located at 6545 N. Palm Avenue is an English picturesque-style residence that includes a former carriage house on the property. Both buildings were designed by W.D. Coates and constructed in 1927. The property has been vacant for almost 30 years. In 2007 the current owners, Craycroft House LLC, submitted a Revised Site Plan to adaptively reuse the home as offices. Although these plans were approved by the Historic Preservation Commission, no work has occurred at the site and the home and carriage house continue to decline through a process of “demolition by neglect.” Staff met with the property owners in 2011 to discuss their strategy to aggressively market the property. Pursuant to FMC 12-1626(c) the Commission has the authority to make a formal request that the Development Department take action to require corrections of defects in “the subject Resource.” It is recommended that the Commission request a status report from the property owner with a timeline that outlines a formal commitment to the sale and/or good stewardship of this important Fresno resource. An alternative is that the Commission may wish to consider a “mothballing protocol” for the Craycroft, as it once did for the Helm Home. If so, the property owner would need to return to the Commission with a report which documents how the home and carriage house are in compliance with Preservation Brief 31: How to Mothball Historic Buildings.

EXECUTIVE SUMMARY

Pursuant to FMC 12-1626 property owners of designated historic resources are required to preserve their buildings “against decay and deterioration” and in a “state of good repair and free from structural defects.” The Historic Preservation Commission is authorized to request that staff meet with the owner to discuss ways to improve the condition of any defects at a historic property (12-1626 (c). Formal action to correct any violations, however, is channeled through the Development Department or other appropriate agency. On most projects it is the City's Code Enforcement Division (now Community Revitalization) which acts on behalf of historic preservation concerns, usually in concert with a slate of other health and safety violations.

The Craycroft Home and Carriage House are currently securely fenced, windows on the home are boarded and there are no open Code Enforcement cases against the property. However the property owners are in violation of several provisions of the City's Historic Preservation Ordinance including 12-1626(b)(5) (deterioration of the porte cochere), (8) holes in roof and/or exterior walls; and (9) defective or lack of weather protection for exterior walls.
BACKGROUND

The Frank J. Craycraft Home (HP# 182) located at 6545 N. Palm Avenue is an English picturesque-style residence that includes a former carriage house on the property. Both buildings were designed by W.D. Coates and constructed in 1927. The property has been vacant for 30 years. In 2005 the property was sold to the current owners, Craycroft House LLC, who worked with a variety of consultants on restoration plans which included a proposal to restore the former un-reinforced hollow brick residence for adaptive reuse as offices. A revised site plan for this project was presented to the HPC at its May 21, 2007 meeting. On a 4-0 vote the Commission passed a resolution that the project as presented was consistent with the historic permit review process and that it qualified as a Class 31 as well as a Class 1 and Class 32 Categorical Exemption under the California Environmental Quality Act (CEQA). Since this project was reviewed and approved the owners have not had sufficient capital to finish the work they started. The home remains vacant, the exterior fence is often breached by teens or vagrants, the interior of the home has graffiti and there is an ongoing infestation of bees in the north wall of the residence. There are also structural issues with the porte cochere on the rear of the home.

At the October 24, 2011 meeting the Craycraft Home was one of four properties reviewed by the Commission for violations of the Minimum Maintenance provisions of the Historic Preservation Ordinance. Prior to this meeting, on October 21, 2011, staff met with the property owner and a representative for the owner, regarding their strategy to market the Craycroft Home and arrest the “demolition by neglect.” Concerns about the eradication of the bees and plans for how best to advertise the sale of the home were discussed.

CONCLUSION

Staff recommends that the Commission request a timeline from the property owners that outlines their commitment to marketing and/or the restoration of the Frank J. Craycroft Home. Or, alternatively, the Commission may wish to allow for a formal mothballing protocol for the property.

Exhibit A: July 16, 2013
Exhibit B: SEC. 12-1626. MINIMUM MAINTENANCE.

(a) All designated Historic Resources including Contributors to any Historic District shall be preserved against decay and deterioration, kept in a state of good repair and free from structural defects. The purpose of this section is to prevent an owner or other person having legal custody and control over a property from facilitating demolition of a Historic Resource by neglecting it and by permitting damage to it by weather and vandalism.

(b) Consistent with all other state and city codes requiring that buildings and structures be kept in good repair, the owner or other person having legal custody and control of a property shall repair such building or structure if it is found to have any of the following defects:

1. Building elements so attached that they may fall and injure members of the public or property.
2. Deteriorated or inadequate foundation.
3. Defective or deteriorated flooring.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of ceilings, roofs, ceiling or roof supports or other horizontal members which sag, split or buckle due to defective materials or deterioration.
6. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.
7. Deteriorated, crumbling or loose exterior plaster.
8. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
9. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
10. Any fault, defect or deterioration in the building which renders it structurally unsafe or not properly watertight.

(c) If the Commission has reason to believe that a Resource is being neglected and subject to damage from weather or vandalism, the Commission shall direct staff to meet with the owner or other person having legal custody and control of the Resource and to discuss with them the ways to improve the condition of the property. If no attempt or insufficient effort is made to correct any noted conditions thereafter, the Commission may, at a noticed public hearing, make a formal request that the Development Department or other appropriate department or agency take action to require corrections of defects in the subject Resource in order that such Resource may be preserved in accordance with this article. (Added Ord. 99-50, §§ 1, 2, 9-9-99)
August 26, 2013

FROM: JENNIFER K. CLARK, Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON
Secretary
Historic Preservation Project Manager

SUBJECT: REVIEW AND APPROVE PROPOSALS FOR THE ARMENIAN TOWN PROJECT
AT THE SOUTHEAST CORNER OF M STREET AND SANTA CLARA STREET
PURSUANT TO MITIGATION MEASURES M AND N OF ENVIRONMENTAL
ASSESSMENT APPLICATION NO. C-02-061.

2. Review and Make Recommendations for Draft Narrative for Wayside Exhibit Pursuant to Mitigation Measure M.
3. Review and Approve New Façade Doors for the Five Historic Homes.

RECOMMENDATION

Staff recommends that the Commission review and provide comments on the proposal for a wrought iron fence to secure the perimeter of the property; solicit comments on the draft narrative for the wayside exhibit for the site, and require that the Project Contractor replace with original (or in-kind) the façade doors on Building A and E as well as the side porch door on Building B and the former wood panel door on the summer kitchen (Building F). The Commission is also requested to take note of updated information on the histories and construction dates of the buildings which has been generated by additional archival research.

EXECUTIVE SUMMARY

A Mitigated Negative Declaration (Environmental Assessment Application No. C-02-061) for the Old Armenian Town Project was approved by the Fresno City Council on November 19, 2002. The MND was prepared for a proposed mixed-use project located on a site bordered by Ventura Street, “O” Street, State Route 41 and “M” Street within the “Old Armenian Town” neighborhood. The project review included an evaluation of all the properties within the 9.72 acre project footprint for their eligibility to the California Register of Historical Resources. Of the various homes and commercial buildings, seven were found to be eligible resources with two, the Valley Lahvosh Bakery and its addition, remaining on site. Five of the homes (and a summer kitchen) within the project footprint were slated for relocation with the preferred option being the firehouse parcel, located at the southeast corner of M and Santa Clara Streets (450 M Street). The Environmental Assessment also included numerous mitigation measures to ensure the protection and preservation of the historic and cultural resources (Exhibit A). The homes and one outbuilding were temporarily stored on N Street until the firehouse parcel was cleared and ready to receive the resources.

On April 27, 2009, the Historic Preservation Commission reviewed and approved the site plan (S-09-032) for the relocation of the homes to the receiver site. The site plan was initially developed from a charette
that was held by the City's Planning Division on October 2, 2008 and which included Planning and Building staff and members of both the Historic Preservation Commission and Heritage Fresno. California Associates, Inc. was thereafter selected by the Redevelopment Agency to serve as lead on the relocation and rehabilitation of the historic homes and summer kitchen. The project proceeded in two phases: Phase I included the actual relocation of the buildings; Phase 2 provided for exterior restoration of the buildings with context sensitive landscaping. Paint colors for the buildings as well as the choice of plants were chosen in consultation with members of the Armenian community.

The project is nearing completion with only a few issues remaining including security (fencing), the text for the wayside exhibit (as required by Mitigation Measure "m") and review and approval of the façade doors on buildings. The Commission is asked to review all these issues pursuant to Mitigation Measure "n."

BACKGROUND

Five former single-family residences and one outbuilding (a summer kitchen/summerkuche) have been relocated and rehabilitated pursuant to Environmental Assessment Application No. C-02-061 using the Secretary of the Interior's Standards for the Treatment of Historic Properties. With the exception of the Schmidt-Terzian summer kitchen (identified as a “washroom”) no buildings have original permits, only records of alterations and additions. None of the five homes (or the summer kitchen) was built before 1900 as none are depicted on the 1898 Sanborn Fire Insurance Map. All five residences, however, are clearly shown on the 1906 map, with a building permit for the summer kitchen in 1913.

The buildings were (and remain) located in Fresno’s parent (railroad) grid, which was platted in 1873 by the Contract and Finance Company, a subsidiary of the Central Pacific Railroad (later Southern Pacific Railroad). Between World War I and II the neighborhood was part of a 60-block area called “Armenian Town,” which included churches, businesses and residences associated with Armenians who came to Fresno in the late 19th and early 20th centuries. A close look at the Polk Directories for the period indicates that prior to 1921 only two of the homes (the “Hoonanian Home” and the “Jerahian” home) provided housing exclusively for Armenians. Additionally, review of the building permits indicates that the earliest owner of record may be different from the individual or family indicated on prior historic survey forms. Based on updated research using the Polk Directories, building permits and Sanborn Fire Insurance maps the properties as identified on the site plan (Exhibit B) are as follows:

Building A: The Karagosian Home (circa 1905) formerly located at 455 “O” Street. All the residents of this home up to 1921 have non-Armenian surnames, with the first listed in the Polk Directories for 1910, a cook named George Adams. Mihran Karagosian appears to be the owner by the 1930s.

Building B: The Schmidt Home (circa 1902) HP#55 formerly located at 460 “N” Street. This late Queen Anne style home was identified as the Schmidt-Terzian Residence in the 2002 City of Fresno survey update. John Schmitt is the spelling in the Polk Directories; the building permit for the "washroom" in 1913 has the name spelled "Schmitt". Mesik Terzian is the property owner by 1936. His daughter Rose was the last resident in 2002.
Building C: The Hoonanian Residence (circa 1902) HP#203 formerly located at 461 “N” Street. Bedros Alijian, a tailor, is the first resident enumerated at this address in 1913. Dick Hoonanian, also a tailor was the resident in 1915-18 and 1920-21.

Building D: The Jerahian/Manassey House (circa 1902) formerly located at 530 N Street is first associated with brothers A.J. and M.J. Damirgian, who were tailors. The Damirgians lived at the home from 1907 to 1918 and appear to be the first owners of record. The property should be renamed the “Damirgian Brothers Home.” Manassey and Agnes Jerahian lived at the property beginning in 1919. M.H. Aram is listed as the owner prior to 1936 when the Jerahians appear to have purchased it. Several local families of prominence have been associated with this residence. We are indebted in fact to Hal Tokmakian for the 1923 photo which was used to rebuild the Chippendale (Chinoisserie) style balustrade on the front porch.

Building E: The Tashjian Residence (circa 1902) formerly located at 459 “O” Street. The first owner noted on a 1911 building permit is an “A. Tollikian”. By 1918 the property was owned by Lyman Tashjian, an Exeter farmer who used the home as a weekend retreat for his family. The youngest son, Howard Tashjian, lived in the home until his death in 1995 (1999 City of Fresno survey forms). The property should be renamed the “Tollikian/Tashjian Residence.”

Building F: The J. Schmitt Summer Kitchen (1913) formerly located at 460 “N” Street is a rare intact example of a backhaus or summerkuche which were once common in Volga German homesteads across the United States. Summer kitchens, used for canning and cooking, were located in the rear of nearly every German-Russian family in Fresno from the late 1890s through the mid-20th century. This outbuilding was a “late discovery” when city staff began to document the homes as part of the Armenian Town project.

1. Review of Conceptual Design Proposal for a 6-Foot Wrought Iron Fence Around Perimeter of the Site. This item is before the Commission for review of a potential design concept. Mitigation measure “n” of the Environmental Assessment No. C-02-061 states “All activities which affect historic properties shall be reviewed by the City’s Historic Preservation Commission.” Although a temporary 6-foot construction fence is currently in place, the rehabilitated historic properties have been a target of vandalism throughout the project’s Phase 1 and Phase 2. To prevent further vandalism to the extensive work completed to date, the Successor Agency to the Redevelopment Agency is exploring options to protect the properties including the concept and design of a permanent decorative 6-foot wrought iron fence around the perimeter of the property which may be located in the City’s right-of-way. Sample conceptual designs are attached to the staff report as Exhibit (C). Decorative fences of this type are currently being used to protect the Meux Home and other local historic properties from vandalism.

Commission review of the design concept neither requires, commits nor authorizes the Successor Agency to actually construct the improvements, nor does it preclude the Successor Agency from bringing additional design concepts for future Commission consideration. The Successor Agency has not submitted an application for a permit to the City, and construction has not been authorized or funded by the Successor Agency Board. If and when a decision is made to construct a fence consistent with any design concept which may have been reviewed by the Commission, the decision will need to comply with the requirements of the California Environmental Quality Act (CEQA) and the Commission’s review comments regarding potential design concepts will be provided to the decision-
making body. Commission review of potential design concepts is not a “project” for the purposes of CEQA as it will not result in a direct or indirect physical change in the environment.

2. Review and Make Recommendations for Draft Narrative for Wayside Exhibit Pursuant to Mitigation Measure M. Mitigation measure “m” calls for a “wayside exhibit or plaque” “which summarizes the history of ‘Armenian Town,’ notes the dates of the homes and indicates that they were relocated.” This staff-driven mitigation measure was written to ensure that the site and work were appropriately documented on an educational exhibit similar to those traditionally used by the National Park Service (or closer to home) as developed for Remembrance Plaza at Pinedale. The City’s preservation staff has provided an update to prior survey work to best document the construction dates and owners of the six resources on the site (see section on individual properties as above). A brief draft narrative is attached (Exhibit D) for consideration by the Commission and the public. Heritage Fresno has recommended that the exhibit include a link to the Armenian Studies program at Fresno State University, an idea which staff supports.

3. Review and Approve New Façade Doors for the Five Historic Homes. As required by the City’s Historic Preservation Ordinance as well as provisions of the project environmental assessment, all buildings were rehabilitated using the California Historical Building Code and in compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Prior to relocation of the buildings all windows, doors, porches and trim work were removed, photographed, inventoried and stored. Although several façade doors are noted in the inventory, the contractor, under some duress of time and due to the condition of the existing materials, chose new high quality Craftsman style door for the facades of all the homes, thus creating a look that is not quite in keeping with the earlier era Queen Anne style and vernacular residences. On the other side of the balance ledger, the contractor, under direction from the preservation architect, hand crafted the Chippendale style porch balustrade for Building D using a 1923 photograph supplied by Hal Tokmakian, whose family had lived in the home during the 1920s on. The original “Chinoisserie” porch work had been changed out with plain post and rail by prior occupants years before the Armenian Town project. Thus this restoration work was not required by the project.

The following properties had front doors that were included in the inventory. These doors should be found, repaired or replaced in kind:

- Building A (Karagosian) glass and wood panel door.
- Building B (Schmidt-Terzian) side porch door.
- Building E (Tashjian) heavy wood door with egg and dart wood trim above glass.
- Building F (summer kitchen) wood panel door.

The Craftsman style glass and wood doors on the facades of Building B, C and D may remain as an improvement over the modern replacements that prior property owners made to these 100-year old buildings.

CONCLUSION

Staff recommends that the Commission review and comment on the concept and general design for the construction of a 6-foot black wrought iron fence to help secure the property.
Staff recommends that the Commission review the draft narrative for the wayside exhibit and refer it back to staff for final editing.

Staff recommends that the Commission require that the Project contractor replace the façade doors on Buildings A, E and F and the side porch door on Building A with the door included in the property inventory or replace the doors "in-kind."

A final thought: The Armenian Town Project has had a somewhat tortured project history extending over the past 11 years. However, Phases I and 2 of the project are close to completion and the site is frankly a stunner. The nearly completed project is a tribute to City and RDA staff, to the early and prolonged efforts of the Historic Preservation Community, the critical interest and support of the Armenian and preservation communities, as well as the diligent work of the architectural and construction firms who have completed this work. A small slice of early Fresno history has been preserved and for that we should all take pride and ownership.

Subject: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

Environmental Assessment Application No. C-02-061

Project Title

Planning and Development Department
City of Fresno
(559) 621-8277

State Clearinghouse Number
City of Fresno
Lead Agency
Area Code/Telephone/Extension

(APNs 468-195-03, 04, 05, 06, 07, 10, 11, 12, 13, 14, 15, 17, 18, 19; 498-196-01, 17, 18, 20, 21, 23; 468-222-01, 02, 09, 12, 15, 16, 17, 18; 468-223-01, 02, 19, 20)

Bordered by Ventura Street to the north, "O" Street to the east, State Route 41 to the south, "M" Street to the west, City of Fresno, County of Fresno

Project Location (Include County)

Project Description:

Authorization for vacation, acquisition, clearance, off-site improvement, and transfer of land for 9.72 acres within the downtown area. The project site is zoned C-M/CCO, Commercial and Light Manufacturing/Civic Center Overlay, and M-1, Light Industrial. The project is located within the Central Area Community Plan.

This is to advise that the City of Fresno Council, the Lead Agency, has approved the above-described project on November 19, 2002, and has made the following determinations regarding the above-described project:

1. The project [ ] will [ X ] will not) have a significant effect on the environment.
2. [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   [ X ] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. A Negative Declaration [ ] was [ ] was not) made a condition of the approval of the project.
4. A statement of Overriding Considerations [ ] was [ X ] was not) adopted for this project.
5. Findings [ ] were [ X ] were not) made pursuant to the provisions of CEQA.

This is to certify that the above-described Negative Declaration with Comments and responses and record of project approval is available to the General Public at the City of Fresno, Development Department, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604.

Rayburn R. Beach
Planning Manager, City of Fresno

Date

TO SEE FULL FILE
PLEASE ASK FRONT DESK
Mitigation Measures:

a. During the clearance activities for the project, the developer shall provide visual screening of the construction site. The screening method shall be determined during project review.

b. All construction equipment and material must be adequately screened.

14.0 - HISTORICAL/ARCHAEOLOGICAL

14.1 - Removal of Historic Building, Disruption of Archaeological Site

Historical Resources

The project site is located within the historic boundaries of what was formerly the 60-block mixed use “Old Armenian Town.” Armenian immigrants began to move into the area around 1915. Up until World II the district was almost exclusively ethnic in nature and was composed of small businesses, churches and stores that catered to the relatively large Armenian community. The neighborhood was the home ground for William Saroyan who grew up two blocks away. In addition to its importance to the Armenian community many of the homes in the area pre-date Armenian occupation and are among the earliest extant housing from Fresno’s original town grid, established by the railroad c1872-3.

Over the last 70 years, the area has evolved from a community with neighborhood-oriented businesses, to a community that is sparsely developed. Following years of urbanization, little of the district remains; primarily a score of homes, a couple of churches, a bakery, warehouses, commercial buildings, and a fire station, which does not house fire suppression equipment but rather is used for administrative offices only. Impacted by a bisecting freeway, the advent of the Convention Center, and strip commercialization, the neighborhood is now a small pocket of land bounded by Ventura Avenue, O Street, Los Angeles Avenue, and Broadway Avenue. This small splinter of the community, however, retains a flavor of the Old Town. The homes date from the turn of the century and the remaining churches represent a unique style of architecture common in Armenia.

The project site is located within the center of this remnant portion of the old district: that is, south of Ventura Avenue, between M and O Streets adjacent to State Route 41. As such, future development of the site will adversely impact up to nine (9) homes, a church, the Lahvosh Bakery, a restaurant, a repair garage, a few commercial buildings, and a fire station.

There are eight potential historic properties within the footprint of the project. The two homes at 460 N Street (Schmidt/Terzian home) and 461 N Street (Hoonanian home) are on the Local Register of Historic Resources. A third property, the Tashijian home (459 O Street) was also evaluated and found eligible to the Local Register by the Historic Preservation Commission (Commission) on October 25, 1999 but did not receive concurrence and official designation from the City Council.

The Valley Lahvosh Bakery (502 M Street) constructed in 1922 and a 1954 addition (2319 Santa Clara Street) were both found to be eligible to the California Register of Historical Resources through an inventory/evaluation compiled by Myra L. Frank and Associates in July 2002, consultants to the project applicant.
Three other houses (530 N Street, c1895; 455 O Street, c1905; 522 N Street, c1912) in the immediate area were identified as important contributors to these historic resources by the Commission at regular and special meetings, August 2002. However, in a letter dated September 6th, 2002, the State Historic Preservation Officer noted that the homes at 530 N and 455 O Street appear to meet the criteria for the California Register of Historical Resources and that the home at 522 N Street does not appear to meet the criteria for the California Register of Historical Resources. Thus the Jerahian residence (530 N Street, c1895) and the Karagosian home (455 O Street, c1905) are considered historic resources under the CEQA guidelines.

The Armenian Evangelical Church, located at 546 N Street, was previously found to be eligible to the Local Register of Historic Resources in a survey prepared in 1994. After a reevaluation of the church by Myra L. Frank and Associates, the Commission at a hearing on August 28th, 2002 determined that the church was not eligible due to a loss of integrity and to inconclusive evidence linking the church either to architect Henry Starbuck or to a leading member of the Armenian community.

Five homes (discussed previously) are considered eligible historic resources and are slated to be relocated. Relocation of all historic resources stipulated in the mitigation measures will reduce the environmental impacts to a less than significant impact under CEQA. Should the City Council elect to demolish the properties located at 460 N Street, 461 N Street, and 459 O Street, 530 N Street, and 455 O Street, an Environmental Impact Report (EIR) will need to be prepared.

Myra Frank and Associates prepared a survey of all pre-1957 buildings in the project area. Copies of these survey forms are attached as an appendix to this report, including the eligibility and significance criteria. Three additional homes and several commercial buildings within the project area were found to not be historical resources under CEQA. Through a consensus determination by The Planning & Development Department (Department), the Agency, Myra L. Franks & Associates and the Commission the following buildings will be demolished as part of this project: 2426 Ventura Street (APN 468-195-17), 529 O Street (468-195-03), 2402 Ventura Street (468-195-15), 546 N Street (468-195-14), 540 N Street (468-195-13), 2348 Ventura Street (468-222-01), 525 N Street (468-222-15), 505 N Street (468-222-16), 453 N Street (468-223-02), 2304 Ventura Street (468-222-12), 546 M Street (468-222-12) and 2320 Santa Clara Street (468-223-201).

After consulting with the Commission, other city departments, and concerned parties, staff has concluded that there are four possible sites for relocation: the fire station site located on the southeast corner of M and Santa Clara Streets; the former Emerson School site located on the south side of Santa Clara Street between Van Ness Avenue and L Street; the Holy Trinity Armenian Apostolic Church south parking lot located at the southwest corner of M and Santa Clara Streets; and L Street between Amador and Calaveras Streets. The homes shall be relocated and set on permanent foundations within one year from the date of Agency acquisition. This period includes any temporary storage associated with the preparation of homes, the receiver site and any environmental review and/or agreements. It has also been recognized that relocation either within a historic district, and/or cluster setting is necessary to prevent the destruction of the homes by neglect and/or vandalism, and the intrusion of industrial type uses within Old Armenian
Town.

ELIGIBLE RESOURCES

Of the structures located within the project site, the homes and bakery have been associated through research with the historic Armenian community. All structures on the site built prior to 1957 have been evaluated by qualified architectural historians with California State DPR 523 inventory forms (see attached DPR 523 forms). Table 1 identifies those structures that have been determined eligible for listing on the California Register of Historical Resources in accordance with the eligibility criteria and those structures that provide additional historical context for those structures.

<table>
<thead>
<tr>
<th>Building</th>
<th>Address</th>
<th>Date</th>
<th>APN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valley Lahvosh Bakery</td>
<td>502 M Street</td>
<td>c. 1922</td>
<td>468-222-17</td>
</tr>
<tr>
<td>Valley Lahvosh Bakery Addition</td>
<td>2319 Santa Clara Street</td>
<td>c. 1953</td>
<td>468-222-17</td>
</tr>
<tr>
<td>Schmidt/Terzian Residence</td>
<td>460 N Street</td>
<td>c. 1905</td>
<td>468-196-17</td>
</tr>
<tr>
<td>Hoonanian Residence</td>
<td>461 N Street</td>
<td>c. 1900</td>
<td>468-223-01</td>
</tr>
<tr>
<td>Tashjian Residence</td>
<td>459 O Street</td>
<td>c. 1890</td>
<td>468-196-01</td>
</tr>
<tr>
<td>Jerahian Residence</td>
<td>530 N Street</td>
<td>c. 1895</td>
<td>468-195-12</td>
</tr>
<tr>
<td>Karagosian Residence</td>
<td>455 O Street</td>
<td>c. 1905</td>
<td>468-196-20</td>
</tr>
</tbody>
</table>

HISTORIC RESOURCE IMPACTS

502 M Street & 2319 Santa Clara Street

As a result of implementation of the proposed project, the Lahvosh Bakery and addition would remain on their current site. The associated, non-significant, Lahvosh Bakery production facilities would be demolished, and production of bread would be moved off-site. The current Lahvosh Bakery retail space, located at 502 M Street, would remain a retail establishment selling Lahvosh Bakery products. Additionally, part of the historic use of the site would be retained through the continued use of the original bakery structure as a retail storefront selling Lahvosh Bakery products. The 1954 bakery addition would be reused by an as yet undetermined compatible commercial venture. The structure at 502 M Street and its addition at 2319 Santa Clara Street were found eligible for listing on the California Register for their significant and continuing historic association with the Armenian community. Alteration of this continuing association and context would potentially impair the integrity of this resource. However, this resource is
located directly to the southeast of the National Register-listed Holy Trinity Armenian Apostolic Church, which continues to be a thriving center for the Armenian community in Fresno. Therefore, preservation of the bakery building and its associated addition on this site would result in the preservation of its eligibility for listing on the California Register of Historical Resources.

460 N Street, 461 N Street, 459 O Street, 530 N Street and 455 O Street

As a result of implementation of the proposed project, these structures would be removed from their current locations, and relocated to another location. Relocation of these structures to prevent their demolition would not result in an adverse change to their eligibility for listing on the California Register “if the new location is compatible with the original character and use of the historical resource.” In addition, these historical resources should retain their “historic features and compatibility in orientation, setting, and general environment” to avoid an adverse effect on their California Register eligibility.

RELOCATION OPTIONS

After consulting with the Commission, other city departments, and concerned parties, staff has concluded that there are four possible sites for relocation: the fire station site located on the southeast corner of M and Santa Clara Streets; the former Emerson School site located on the south side of Santa Clara Street between Van Ness Avenue and L Street; the Holy Trinity Armenian Apostolic Church south parking lot located at the southwest corner of M and Santa Clara Streets; and L Street located along L Street between Amador and Calaveras Streets.

Option 1: The fire station parcel located on the southeast corner of M and Santa Clara Streets

Option 1 would allow up to six (6) homes to be relocated within the project site boundaries. The proximity of the fire station parcel to the existing bakery and church would provide the opportunity to group the remaining historic resources of Old Armenian Town. This option would require that the applicant modify their plans to allow for the development of the fire station parcel with homes, rather than the five-story parking garage depicted on the conceptual site plan.

Option 2: The former Emerson School site located on the south side of Santa Clara Street between Van Ness Avenue and L Street

Option 2 would allow between three (3) and six (6) homes to be relocated approximately one block west of the subject site on the south side of Santa Clara Avenue between Van Ness Avenue and L Street. The site is presently developed with a warehouse and related parking. This site was the former site of the Emerson elementary school which has historical ties to William Saroyan, a local author of national acclaim. In addition, this site is also located within Old Armenian Town. However selection of this site would require that the Agency purchase the property through either negotiated purchase or if necessary eminent domain. This option would require further environmental review and would require that the Agency acquire the privately owned property.
The Agency would also be responsible for assisting the warehouse to relocate.

**Option 3: The Holy Trinity Armenian Apostolic Church south parking lot located at the southwest corner of M and Santa Clara Streets**

Option 3 would allow three (3) to four (4) homes to be relocated adjacent to the project site. This option would not require that the applicant modify their plans, nor would it require the demolition or relocation of homes or businesses, however it would displace parking used by the Holy Trinity Armenian Apostolic Church. This option would require coordination between several parties, including the Agency, the Planning & Development Department, the applicant and the church for shared parking on the project site to ease parking concerns for visitors to the church. The proximity of the parking lot to the existing bakery and church would provide the opportunity to group the remaining historic resources of Old Armenian Town. This option would require further environmental review and would require that the Agency acquire the privately owned property. This option would also limit the number of potential homes to be relocated.

**Option 4: L Street located along L Street between Amador and Calaveras Streets**

Option 4 would allow between three (3) to (6) of the homes to be relocated several blocks north of Old Armenian Town to the L Street. L Street currently contains several homes that are identified on the Local Register of Historic Places. This site is not located within Old Armenian Town and would not allow for the clustering of the historic and contributory resources given that any receiver sites are scattered within the two blocks of L Street that contain historic resources. In addition, staff has recognized that the setting of L Street does not lend itself as an acceptable receiver site given that the homes are of differing architectural styles and massing. This option would require further environmental review and would require that the Agency acquire the privately owned property. In addition, up until World War II the Armenian community could not easily move outside the boundaries of “Old Armenian Town,” due to restrictive covenants. Therefore, the L Street Historic District is not an acceptable receiver site and the relocation of historic resources to this site would not mitigate the impacts to a less than significant level.

Preference should be given to clustering the remaining historic resources and contributory structures either on the project site or at a location immediately adjacent to the project site. The homes shall be relocated and set on permanent foundations within one year from the date of Agency acquisition. This period includes any temporary storage associated with the preparation of homes, the receiver site and any environmental review and/or agreements.

**RECOMMENDATION**

Staff recommends that Option 1 be selected as the site for relocation. This site is recommended given that the city owns the property and because of its proximity to the bakery and Holy Trinity Armenian Apostolic Church. In addition, this site would allow for the city, RDA and the developer to move expeditiously on
the necessary agreements, purchase, and clearance of the site.

Staff recommends that the following homes be relocated 460 N Street, 461 N. Street, 459 O Street, 530 N Street, and 455 O Street. Staff has made this determination after consulting with the Agency, Myra L. Frank and Associates, and the State Historic Preservation Office. Further, staff concurs with their recommendation that the property located at 522 N Street lacks the integrity to designate the home as a historic resource.

Mitigation Measures:

a. Historic resources to be moved from the Phase I/Appellate Courthouse Project Area (460 N Street, 459 O Street, 455 O Street, and 530 N Street) should be evaluated first to ensure that the structures can withstand relocation.

b. All properties shall be documented on site (including all elevations and garden spaces), prior to demolition or relocation.

c. The summer kitchen at the Terzian residence (460 N Street) shall be recorded by an architectural historian and/or a historical archaeologist.

d. Oral histories shall be made with local residents prior to removal of homes. This shall be undertaken by the City’s Historic Preservation staff.

e. Historic properties to be relocated shall be moved by a company with experience in moving historic structures and in accordance with the approaches recommended in “Moving Historic Buildings” (John Obed Curtis, 1979, American Association of State and Local History).

f. Phase I historic properties shall be temporarily relocated for a period not to exceed one year from the date of initial relocation. The structures shall be secured in accordance with the recommendations found in Preservation Brief #31, “Mothballing Historic Buildings” (of the Interior, National Park Service, 1993).

g. Prior to demolition, the Armenian Evangelical Church shall be recorded using HABS guidelines by a professional meeting the Secretary of Interior’s Standards. A wayside exhibit, plaque or other appropriate monument to the Church shall be included within the proposed footprint of the 5th Appellate Courthouse.

h. Historic properties located in the Phase II project area shall remain until such time as an entitlement application is filed with the Planning & Development Department.

i. All resources (a. plus 461 N Street) shall ultimately be relocated to receiver lots at either (a) the firehouse parcel, (b) the former Emerson school site, or (c) the Holy Trinity Armenian Apostolic Church south parking lot. The homes preferably should be relocated together and clustered in a setting that retains the feeling and association to their Period of Significance.

j. All relocated historic structures shall be brought up to safety standards in accordance with the State Historic Building Code. Any repairs or cosmetic rehabilitation required as a direct result of the storage and relocation of the buildings shall be done at expense to the project.
and the applicant.

k. During Phase II, production facilities for the Lahvosh Bakery will be relocated to an alternate location. The retail portions of the bakery (502 M and 2319 Santa Clara Street) shall remain in place.

l. Relocated structures shall be resold or leased to private owners, with a covenant requiring that the facade of the structure be retained to its Period of Significance and in accordance with the Secretary of Interior’s Standards for the Rehabilitation of Historic Structures. First right of refusal to purchase the relocated homes will be offered to the current (pre-move) owners.

m. After relocation, a wayside exhibit or plaque shall be developed which summarizes the history of “Armenian Town”, notes the dates of the homes and indicates that they were relocated.

n. All activities which affect historic properties shall be reviewed by the City’s Historic Preservation Commission.

o. A performance bond of $300,000 will be posted by the Redevelopment Agency to ensure that funds are available for the work as described.

**Archaeological Sites**

There are no adjacent archaeological sites. However, to ensure that any possible sites will be protected, the following conditions have been added to this special permit approval:

a. If archaeological and/or animal fossil material is encountered during project surveying, grading, excavating, or construction, work shall stop immediately.

b. If there are suspected human remains, the Fresno County Coroner shall be immediately contacted. If the remains or other archaeological material is possibly Native American in origin, the Native American Heritage Commission shall be immediately contacted, and the California Archaeological Inventory/Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists. An archaeological assessment shall be conducted for the project, the site shall be formally recorded, and recommendations made to the City as to any further site investigation or site avoidance/preservation.

c. If animal fossils are uncovered, the Museum of Paleontology, U.C. Berkeley shall be contacted to obtain a referral list of recognized paleontologists. An assessment shall be conducted by a paleontologist and, if the paleontologist determines the material to be significant, it shall be preserved.

**15.0 - ENERGY**

Clearance of the site is not anticipated to require an excessive use of energy. Clearance of the site will be primarily with diesel and gas powered equipment generally found on construction sites. No adverse environmental effects are expected as a result of this project.
Mitigation Measures:

No mitigation measures are necessary.

DETERMINATION

On the basis of this initial evaluation, it is determined that the proposed project is consistent with all applicable City plans and policies and conforms to all applicable zoning standards and requirements. It is further determined that the proposed project will not have a significant effect on the environment. This is because the conditions of project approval are conditions upon which a mitigated negative declaration can be recommended. THEREFORE, A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.
FACE TO FACE
94"

6" [152MM]

MOUNTING BRACKET

PICKET 3/4" [19MM] SQ.
18 GAUGE

POST

1-1/2" SQ. RAIL
14 GAUGE

-6" [152MM]

SECURE - WELD PLUS

NOTES:
1. SPECIFICATIONS SHOWN CAN BE CHANGED BY THE MANUFACTURER ONLY.
2. FOOTING WIDTH TO BE (4)X POST WIDTH.

NOM. HEIGHT (H)
4'-0" [1219MM]
5'-0" [1524MM]
6'-0" [1829MM]
7'-0" [2134MM]
8'-0" [2438MM]

LAFAYETTE STYLE 2 RAIL
(COMMERCIAL PANEL)

8' SECTION 3/4" PICKET
(Nom.Dimension)
A secure and elegant design with pressed point pickets. Available in 2 or 3 rail styles.

A clean and simple design with no pickets above the top rail. Available in 2 or 3 rail styles.

A traditional design with square top pickets. Available in 2 or 3 rail styles.

A high security design which creates an imposing presence. Available in 2 or 3 rail styles, in 6', 7' and 8'.

These beautiful and durable ornamental accessories add architectural interest to your residential, commercial or industrial property.
Draft Narrative for Wayside Exhibit: Armenian Town

Fresno was founded in 1872 by the Central Pacific Railroad. The five restored residential buildings at this site were constructed between 1898 and 1906 in Fresno’s “parent” grid and provided homes for a multi-ethnic populace. By the First World War 10,000 Armenians had settled in Fresno. These homes, the Valley Lahvosh Bakery across the street and the Holy Trinity Armenian Apostolic Church (1914) are a fragment of the 60-block “Armenian Town” that existed here between the two World Wars. Writer and artist William Saroyan grew up two blocks away. All of these buildings were relocated to this parcel from adjacent blocks, as part of the Armenian Town Project.

Funding and Thanks to... For More information about Fresno’s Armenian Heritage (then link to Fresno State’s Armenian Studies Program).

Facing Santa Clara Street is the Schmidt Home (HP#055) a Queen Anne style residence. John Schmidt (aka Schmitt) was a waiter. The home was later purchased by Mezik Terzian.

Corner of Santa Clara and M is another late Queen Anne style home, The Hoonanian Residence (HP#203). Bedros Aljian, a tailor, is the first resident in 1913. Dick Hoonanian, also a tailor, lived here in 1915-18 and 1920-21.

Going south along M Street is The Damirgian Brothers Home. A.J. and M.J. Damirgian were tailors as well. Later families included the Jerahians and the Melikians. The beautiful Chinoisserie (Chippendale) style porch work was recreated by the contractor from a circa 1923 Jerahian family photo.

The Karagosian Home. All the early residents were non-Armenians including a cook named George Adams in 1910. Mihran Karagosian was the owner by the 1930s.

The last home on the block is The Tollikian/Tashjian Residence. Lyman Tashjian was an Exeter farmer who used the residence as a weekend retreat for his family.

The small outbuilding in the center of the property is the J. Schmitt Summer Kitchen (1913) a rare intact example of a backhaus or summerkuche which were once common in Volga German homesteads across the United States. Summer kitchens were located behind most Russian German homes in Fresno from the late 1890s through the mid-20th century.

Draft Khd (8.21.13)
August 26, 2013

FROM: JENNIFER K. CLARK, Director
Development and Resource Management Department

BY: KARANA HATTERSLEY-DRAYTON
Secretary
Historic Preservation Project Manager

SUBJECT: REVIEW AND PROVIDE COMMENTS ON THE DRAFT “HISTORIC ENVIRONMENTAL REVIEW PROCEDURES ORDINANCE” PURSUANT TO FMC12-1606(b) AND (16).

RECOMMENDATION

Staff recommends that the Commission review the attached draft “Historic Environmental Review Procedures Ordinance” and provide comments.

EXECUTIVE SUMMARY

Planning staff, in concert with outside counsel, have drafted a “Historic Environmental Review Procedures Ordinance” as part of the comprehensive effort to revise and prepare surveys, codes and plans for both the Downtown and the entirety of Fresno’s General Plan area. The draft ordinance (Exhibit A) is proposed as a chapter in the Citywide Development Code, currently being prepared by staff of the Advanced Planning Division in the Development and Resource Management Department. The intent of the “Historic Environmental Review Procedures Ordinance” is clearly described in Section 2 of the document. In brief, the ordinance would serve to implement the HCR-2-c policy of the draft 2035 Fresno General Plan as previously reviewed and approved by the Commission. The ordinance would also allow for a project to be expedited through the adoption of provisions that ensure that there would be no significant adverse impacts to historically significant resources. The ordinance is not intended to conflict with Section 106 review, as required for federally funded (or permitted) projects, nor is there an intent to amend or alter the jurisdiction of the Historic Preservation Commission. In short, this ordinance would adopt and make explicit the protocols already in place for the review of potential historic resources within a proposed project and thus would provide better guidance for current and future development.

BACKGROUND

In contrast to federal law (e.g. Section 106 of the National Historic Preservation Act) the California Environmental Quality Act (CEQA) is quiet about how best to ascertain whether or not there are historic resources within a project area. CEQA includes no explicit direction about the need to do a survey and as a consequence past CEQA only projects in Fresno regularly claimed a Categorical Exemption for NO historical and cultural resources merely by providing a Records Search. However, Fresno has yet to be fully surveyed for historic resources and thus there was usually nothing to report! In 2002-3 Historic Preservation staff, with support from the Director of Planning and Development, made a successful pitch to require historic surveys for CEQA only projects. Although there was initial resistance we have over the past several years accumulated numerous project-specific reports that have been invaluable in understanding particularly those rural areas of the city being developed for new subdivisions. Also in November 2002 the Planning Department adopted the Demolition Review Policy which strengthened and supported a policy within the 2025 General Plan.
As stated previously, the intent of the draft "Historic Environmental Review Procedures Ordinance" is to adopt a procedure to implement draft policy HCR-2-c of the Historic and Cultural Resources Element of the Fresno General Plan Update. This policy reads as follows: "Project Development. Prior to project approval, a subject parcel and its Area of Potential Effects (APE), without benefit of a prior historic survey, will be evaluated and reviewed for the potential for historical and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer." The ordinance explicates this one paragraph by providing definitions and procedures for fulfilling this policy.

Preservation staff participated in discussions on the development of this draft ordinance. In addition, city legal and planning staff contributed to the draft document that is presented for review. However, preservation staff remains cautious about the 10-year window included under Section 8(b) which would preclude revisiting the historical status of a resource if there had been an adopted CEQA finding within the ten years prior to submittal. We have recently seen, for example, that subdivision maps have a shelf life of many years and yet our knowledge of historic resources and landscapes keeps evolving. A five-year window, as used by the State Office of Historic Preservation, would seem more reasonable.

Preservation staff also asked if there was a conflict in considering Heritage Resources as not meeting the definition of a "Significant Resource" or a "Potential Significant Resource" unless the Heritage Resource met the definition as set forth in the ordinance. This possible conflict is due to the fact that the City's Historic Preservation Ordinance allows for Heritage Property owners to use the California Historical Building Code. The consultant's response was that there is no legal issue or conflict as these are different statutory schemes. Furthermore the California legislature did not show any intent that we must treat buildings that may use the CHBC as a historical resource under CEQA. Additionally most Heritage Resources will also require additional review under this ordinance, based on their age alone (thus over 45 years old).

CONCLUSION

Ordinances are by nature difficult for the layperson to fully comprehend. It is therefore fortuitous to welcome Kathy Phelan Esq. outside legal consultant to the meeting tonight. Ms. Phelan will be available to answer any specific questions about this document.

Attachments: Exhibit A - "Article X. Review Procedures for Historic Resources" (draft).
Article X. Review Procedures for Historic Resources

Section 1. Title.

This article shall be referred to as the “Historic Environmental Review Procedures Ordinance.”

Section 2. Purpose and Intent; Structure of Ordinance.

(a) Purpose and Intent. The purpose and intent of this ordinance is to:

(1) Adopt a procedure to implement 2035 Fresno General Plan Policy HCR-2-c.

(2) Provide property owners, the general public, developers and city staff clear procedures for the review of historically significant resources and potential historically significant resources under the California Environmental Quality Act (“CEQA”) when a development project is under review by the city and to ensure compliance with any other relevant local, state and federal laws intended to protect historical resources.

(3) Allow project review to be streamlined when there are historically significant resources or potential historically significant resources, as those terms are defined in this ordinance, where it can be done without causing significant adverse impacts to historically significant resources.

(b) Not Intended by Ordinance.

(1) Federal Law. Nothing in this ordinance is intended to conflict with or replace any procedure or requirement of the National Environmental Policy Act, or Section 106 of the National Historic Preservation Act of 1966 (as amended). Where a Project is a federal undertaking or otherwise requires federal historical review, all relevant federal procedures shall be followed. If authorized under CEQA and relevant federal law, city staff may conduct concurrent review consistent with the procedures in this ordinance.

(2) Historic Preservation Ordinance. Nothing in this ordinance is intended to amend or alter the jurisdiction of the Historic Preservation Commission (“HPC”) under the Historic Preservation Ordinance (“HPO”) (Chapter 12, Article 16), including the HPC’s authority to review and approve permits affecting Historic Resources, as defined by the HPO, and its existing authority to review environmental documents in certain circumstances prescribed in the HPO.
Archaeological and Paleontological Resource Review. Nothing in this ordinance is intended to address or provide procedures under CEQA for review of archaeological or paleontological resources as they may be defined under CEQA. The city shall analyze those resources consistent with the requirements of CEQA.

Structure. Generally, this ordinance is intended to allow CEQA review of historical or potential historical resources (as defined by CEQA and codified in this ordinance) in a three-step process. Review may be completed at any one of the three steps depending upon the particular facts involved. The three steps are generally described as follows:

**Step 1** is to determine if there exists a historically significant resource (or “Significant Resource” as defined in Section 3) or a potential historically significant resource (or “Potential Significant Resource” as defined in Section 3) in the Project Area or Study Area. Step 1 is provided for in Section 6. If a Significant Resource or a Potentially Significant Resource is found to exist, then review under Step 2 is required. If not, no further review under this ordinance is required.

**Step 2** is to determine whether in a preliminary review it is possible to apply development standards to the Project that will avoid significant impacts to Significant Resources (“Historic Development Standards”) and, if so, streamline environmental review of the Project for purposes of historical impact analysis. Historic Development Standards are provided in Section 5. To complete environmental review in Step 2, the applicant must agree to apply Historic Development Standards to the Project and city staff must be able to make a finding consistent with CEQA requirements that there will not be a potential significant impact to a historical resource. If city staff cannot make such a finding in Step 2, Step 3 review is required. Step 2 is provided for in Section 9 for Potential Significant Resources and Section 10 for Significant Resources.

**Step 3** is to prepare a full CEQA evaluation in relation to historical resources and determine if the Project will cause a reasonably foreseeable significant impact to an historical resource. For a Potentially Significant Resource, Step 3 includes determining if the resource is a Significant Resource. Step 3 is provided for in Section 9 for Potential Significant Resources (to determine if the resource is a Significant Resource) and Section 10 for Significant Resources (to conduct the impact analysis).

**Section 3. Definitions.**

Unless the particular provision or the context otherwise requires, the abbreviations, definitions and provisions contained in this section shall govern the construction, meaning, and application of words and phrases used in this ordinance.
(a) The following abbreviations shall have the designated meanings:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEQA</td>
<td>California Environmental Quality Act of 1970, chaptered at California Public Resources Code §§ 21000-21177, et seq. and Guidelines for Implementation of the California Environmental Quality Act, found at California Code of Regulations Title 14, Chapter 3, §§ 15000-15387. Specific references to the California Code of Regulations may be referred to as, &quot;CEQA Guidelines Section.&quot; Any references to CEQA, or any Public Resources Code section or Guidelines provision, shall include as that statute or guideline may be amended from time to time.</td>
</tr>
<tr>
<td>HPC</td>
<td>Historic Preservation Commission</td>
</tr>
<tr>
<td>HPO</td>
<td>Historic Preservation Ordinance, Chapter 12, Article 16 of this Code.</td>
</tr>
<tr>
<td>SR</td>
<td>Significant Resources as defined in this section.</td>
</tr>
<tr>
<td>PSR</td>
<td>Potential Significant Resource as defined in this section.</td>
</tr>
</tbody>
</table>

(b) Reserved.

c) **Director** means the Director of the Development and Resource Management Department or his or her designee.

d) **Finding of No Resources** means a written finding made by city staff after following the procedures in this ordinance that there are no historical resources, as defined by CEQA, that may be affected by the Project.

e) **Heritage Property** has the same meaning as set forth in Section 12-1603(n). A Heritage Property is not a Significant Resource or a Potential Significant Resource unless it otherwise meets those definitions as set forth in this section.

(f) **Historic Development Standards** means collectively Historical Resource Development Standards and Historical Resource Adjacency Standards identified in Section 5.

g) **Historic Resource** has the same meaning as set forth in the Section 12-1603(o).
(h) **Impact** shall have the same meaning as provided by in CEQA Guidelines Section 15358.

(i) **Impact Study** is a study required under this ordinance if a Project has the potential to cause an adverse change to a Significant Resource. The Impact Study will assess whether it is reasonably foreseeable the Project will cause a significant impact to a historically significant resource and identify any feasible mitigation measures that will avoid or mitigate the impact to less than significant. An Impact Study must be prepared by someone meeting the Secretary of the Interior’s Professional Qualifications as an Architectural Historian. An Impact Study may but is not required to be prepared with a Resource Survey.

(j) **Manager** or **Historic Preservation Project Manager** has the same meaning as "Specialist" set forth in Section 12-1603(ff).

(k) **Non-Significant Resource** shall mean a resource that is neither a Significant Resource nor a Potentially Significant Resource pursuant to this ordinance and is not a "historical resource" for purposes of Public Resources Code Section 21084.1 or Guidelines Section 15064.5 and is not part of the physical environment for purposes of CEQA review based upon its historicity. Notwithstanding anything to the contrary in this article or the Code, a non-contributor to an historic district, as defined in Section 12-1603(v) is a Non-Significant Resource.

(l) **Potential Significant District** is a type of Potential Significant Resource that if found to be a Significant Resource would be a Significant District.

(m) **Potential Significant Resource** means a resource that does not fall within the definition of Significant Resource but meets any or all of the following requirements:

1. it was identified as eligible or potentially eligible for listing in a national, state or local register of historical resources or it was identified as a potential contributor to a potential significant district in a survey that the city formally commissioned or was officially accepted or officially adopted by the Council or the HPC, but the survey does not meet one or more of the requirements of subsection (g) of Section 5024.1 of the Public Resources Code.
2. it is at least 45 years old; or
3. as determined by the Manager, it meets the criteria for listing to the California Register of Historical Resources under subsection (j) of Section 5020.1 or Section 5024.1 of the Public Resources Code.

Notwithstanding the above, a resource shall not be a Potential Significant Resource if within five years prior to submittal of the application for the Project under review: (i) the city in an adopted CEQA finding, determined
that the resource was not historically significant for purposes of CEQA or (ii) the Council or the HPC accepted or officially approved a survey that found the resource was not eligible for listing to a national, state or local register.

(n) **Project** means any proposed land development or land use activity that is the subject of an application for an entitlement on file with the city.

(o) **Project Area** means the parcel of record(s) described in the applications for the Project.

(p) **Resource Survey** is a study required to determine whether there are Significant Resources in the Project Area or Study Area. Typically a Resource Survey will include a historic context that briefly outlines the major historic themes against which a resource will be evaluated for its historic significance. In addition, the Resource Survey will include individual survey forms, pursuant to the California Office of Historic Preservation protocols, for all individual properties in the Study Area that are at least 45 years in age. A Resource Survey must be prepared by an individual meeting the Secretary of the Interior's Professional Qualifications as an Architectural Historian. A Resource Survey may but is not required to be prepared with an Impact Study.

(q) **Significant District** is a type of Significant Resource that is a finite group of resources related to one another in a clearly distinguishable way or any geographically definable area which possesses a significant concentration, linkage or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

(r) **Significant Resource** means a resource that is one of the following:

1. Listed in the California Register of Historical Resources;
2. Listed on the National Register of Historic Places;
3. Determined to be eligible for listing in the California Register of Historical Resources by the State Historical Resources Commission;
4. A Historic Resource as defined in Section 12-1603(o), or a local historic district as defined in Section 12-1603(s), or a contributor to a local historic district, unless the resource has been found not to be historically or culturally significant by a preponderance of the evidence pursuant Section 10(b)(2)(iv);
5. Identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the resource has been found not to be historically or culturally significant by a preponderance of the evidence pursuant to Section 10(b)(2)(iv); or,
6. A Potential Significant Resource that, after further analysis and review, the City has determined should be treated as a Historically Significant Resource pursuant to the procedures in Section 9(b)(3).
(s) **Study Area** means a geographic area in and around the Project Area wherein the Project may result in a direct or indirect impact to a Significant Resource and/or a Potential Significant Resource. Unless the Manager otherwise determines in his or her professional discretion based upon the scale and nature of the proposed Project, the Study Area shall consist of the geographic area that includes:

(i) any block that includes all or any part of the Project Area; and
(ii) the block frontage facing any part of the Project Area; and
(iii) if the Project contains any contributors to a Significant District or to a Potential Significant District, the Significant District or identified Potential Significant District.

(t) **Substantial Evidence** means enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

Section 4. General Provisions.

The following rules shall apply to the requirements in this ordinance unless otherwise expressly provided.

(a) **DARM.** This ordinance shall be implemented and administered by the Development and Resources Management Department Director and Staff.

(b) **Substantial Evidence.** All procedural determinations and findings to be made by city staff or the Manager required under this ordinance shall be based upon and supported with substantial evidence.

(c) **Documentation, Studies, Reports and Surveys.** City staff may require the applicant at any time, before or during review of a Project application, to provide any documentation, report, study or survey necessary to complete the review and analysis required by this ordinance. The Director may suspend or terminate review of any Project application where the applicant has failed to provide the required documentation, reports, studies or surveys in a form required by the city or has failed to pay any costs or fees required by the Master Fee Schedule or, otherwise required by the city and authorized under this ordinance. It is at the Director's discretion when any documentation, report, study or survey required under this section will be prepared by the applicant, the city or by a consultant. Any consultant used to prepare any documentation, report, study or survey for purposes of this ordinance must meet the Secretary of the Interior's Professional Qualifications as an Architectural Historian. The city is not required to accept the findings, analysis or conclusions of any outside consultant in any
document, report, study or survey prepared and submitted under this ordinance if it is not supported by substantial evidence or if the Manager disagrees with the findings, analysis or conclusion in his or her reasonable professional opinion. All documentation, reports and surveys shall be in a form as determined by the Manager.

(d) **Costs.** The applicant is responsible to pay for all of the city’s costs to review a Project as required under this ordinance and set forth in the Master Fee Schedule, including without limitation, the hiring of consultants to prepare any necessary documents, studies, surveys or reports. The costs and/or fee shall be set forth in the Master Fee Schedule. In regards to consultant costs, the city may elect as an alternative to charging a fee under the Master Fee Schedule, to require the applicant to pay the consultant directly, to enter a three-party agreement with the city and the consultant wherein the applicant is required to pay the consultant’s costs, or enter an agreement with the city to reimburse the city for its actual costs to hire the consultant.

(e) **Director Rules and Regulations.** The Director may adopt rules, regulations, guidelines or policies consistent with this ordinance and CEQA for the purpose of carrying out the intent and purpose of this ordinance.

(f) **Time for Review.** For purposes of the Permit Streamlining Act or any similar law, review under this article shall be considered environmental review under CEQA.

(g) **CEQA Streamlining.** Notwithstanding anything to the contrary in this ordinance, the city may at its discretion, where consistent with all applicable land use plans and authorized under CEQA, take advantage of any CEQA streamlining tool available, including without limitations, CEQA Guidelines Section 15183.3, to satisfy its responsibilities to conduct environmental review of impacts to historical resources under CEQA and this ordinance.

Section 5. **Historic Development Standards.**

(a) **Historic Development Standards.** Historical Resource Development Standards and Historical Resource Adjacency Standards, as defined and described in (c) and (d) for purposes of this ordinance, may be collectively referred to as, “Historic Development Standards.” A Project that incorporates Historic Development Standards, consistent with this section, will avoid causing significant impacts to historical resources for purposes of CEQA analysis.

(b) **Historic Development Standards and CEQA Finding.** A Project that makes Historic Development Standards part of its Project, consistent with this ordinance, through enforceable standards or conditions shall be found in any CEQA document to have no significant impact to historic resources for purposes of CEQA. For example, a Project that involves a Significant Resource
should be approved with a negative declaration if the Project incorporates Historic Development Standards, consistent with this ordinance, and has no other impacts under CEQA.

(c) **Historical Resource Development Standards.**

(1) **Definition.** Historical Resource Development Standards are development standards that when imposed on or incorporated into a Project will avoid significant impacts to Significant Resources that are located in the Project Area. Historical Resource Development Standards may be part of the Project application or may be imposed as conditions by city staff if agreed to by the applicant.

(2) **Historical Resource Development Standards.** The following Historical Resource Development Standards are adopted and may be imposed on or incorporated into any Project consistent with this ordinance.

(i) **Secretary of Interior Standards.** The Project shall comply with the Secretary of Interior Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

(ii) **Reserved.**

(3) **Additional or Alternative Standards.** The city may adopt, from time to time, Historical Resource Development Standards in addition to those in (c)(2). Historical Resource Development Standards may be adopted by Council by ordinance (codified or not codified) or resolution or may be adopted by the Director in a formal written policy prepared and approved by the Manager. Historical Resource Development Standards may, but are not required to, come from mitigation measures in an adopted environmental document. Regardless of where these standards are located, they shall be referred to as, Historical Resource Development Standards.

(d) **Historical Resource Adjacency Standards.**

(1) **Definition.** Historical Resource Adjacency Standards are development standards that when imposed on or made part of a Project, will avoid significant impacts to Significant Resources that are not part of the Project or in the Project Area but may be foreseeably impacted by the Project. An example of this could include a Significant Resource that is across the street from a Project proposing to construct a new office building. Historical Resource Adjacency Standards may be part of the Project application or may be imposed as conditions by city staff if agreed to by the applicant.
(2) Historical Resource Adjacency Standards. The following Historical Resource Adjacency Standards are adopted and may be imposed on any Project consistent with this ordinance.

(i) Downtown Adjacency Standards. For Projects in the Downtown Neighborhoods Community Plan Area, a new or modified building shall visually complement an adjacent building that is a Significant Resource, through the following as found applicable by the Manager:

a. Match the building setbacks of the SR(s). When several setbacks exist, the prevalent setback shall be used;
b. Match the roof pitch of the SR(s);
c. Be similar in scale and massing to the SR(s);
d. Be similar in organization and size of openings to the SR(s);
e. Have site access (e.g., driveways and on-site paths) that are complimentary in size and material to the SR(s).
f. Have site details (e.g., fencing and landscaping) that are complementary to the SR(s).

(ii) Reserved.

(3) Additional or Alternative Standards. The city may adopt, from time to time Historical Resource Adjacency Standards in addition to those in (d)(2). Historical Resource Adjacency Standards may be adopted by Council by ordinance (codified or not codified) or resolution or may be adopted by the Director in a formal written policy prepared and approved by the Manager. Historical Resource Adjacency Standards may, but are not required to, come from mitigation measures in an adopted environmental document. Regardless of where the standards are located, they shall be referred to as Historical Resource Adjacency Standards.

Section 6. Preliminary Review (Stage 1).

Before any Project is processed pursuant to local or state code, policy or regulation, there shall be a Preliminary Review (Stage 1 Review) to determine if there are any Significant Resources and or Potential Significant Resources in the Project Area or Study Area pursuant to this section.

(a) Ministerial Projects. Ministerial projects, with the exception of Projects that involve a demolition permit as provided herein, are exempt from review under this ordinance. A Project is ministerial if all applications for the Project with the city involve only ministerial approvals pursuant to the terms of CEQA, including but not limited to Guideline Section 15369, or as determined
in the Code or otherwise established by adopted city policy, guideline, standard or determination. All demolition permit applications shall be reviewed by the Manager or his/her designee to determine whether the Project Area (not the Study Area) contains an SR or a PSR pursuant to the following rules:

1. If the Manager or his/her designee determines that there are no SRs or PSRs in the Project Area, the historical review is complete for purposes of this ordinance and CEQA and the Project shall be processed as a ministerial project.

2. If the Manager or his/her designee determines that there is an SR in the Project Area, city staff shall comply with the procedures in Section 10.

3. If the Manager or his/her designee determines that there is a PSR in the Project Area, city staff shall comply with the procedures in Section 9.

(b) Discretionary Applications. All Projects that are not ministerial are discretionary and shall be reviewed to determine if there is an SR or PSR in the Study Area.

1. If city staff determines there is not an SR or a PSR in the Study Area, city staff shall make a Finding of No Resource and the historical review is complete for purposes of this ordinance and CEQA.

2. If city staff determines there is an SR in the Study Area, city staff shall conduct SR review pursuant to Section 10.

3. If city staff determines there is a PSR in the Study Area, city staff shall conduct PSR review pursuant to Section 9.

(c) Late Discoveries. If a PSR or SR is discovered at any time in a Project Area or Study Area prior to Project approval, regardless whether a historical environmental review has otherwise been completed under this ordinance, the late discovered PSR or SR must be analyzed and considered pursuant to all of the procedures under this ordinance and if applicable, new CEQA findings must be made and processed, as required under CEQA.

Section 7. Substantial Evidence Local Historic Resource is Not Historically Significant.

If at any time during review of a Project or SR under this ordinance, the Manager determines that there is substantial evidence that a SR meeting the definition of subsection 3(q)(4) is not historically significant, the Manager shall, pursuant to Section 12-1614, refer the matter to the HPC to consider initiating proceedings to
amend or rescind a historic resource designation. For example, referral to the HPC under this section may occur before, during, or after the preparation of an Impact Study required in Section 10(b). At any time after the Manager has referred a SR to the HPC or a proceeding has been initiated by the HPC to rescind or amend a designation, historical environmental review under this ordinance may be suspended in part or in whole by the Director if in his or her opinion it is efficient or in the best interest of the public. Nothing in this section is intended to limit or expand the authority of any party to initiate a proceeding to rescind or amend a designation under Section 12-1614.

Section 8. Designation of Significant Resource Rescinded.

If the designation of any SR is rescinded at any time pursuant to any provision of local, state or federal law or regulation, including a local historic resource pursuant to Section 12-1614, it shall become a Non-Significant Resource and shall not require any further review under this ordinance. This section shall not apply if the resource after such rescission still retains a designation on a local, state or federal register.

Section 9. Processing of Potential Significant Resources.

(a) Voluntary Application of Historic Development Standards. (Stage 2 Review). When a Project Area or the Study Area includes a PSR, the applicant may voluntarily agree to treat the PSR as a SR and incorporate Historic Development Standards into the Project.

(1) CEQA Finding. If the applicant has incorporated Historic Development Standards into the Project through enforceable standards or conditions, city staff shall prepare written findings, approved by the Manager, that the project will not cause significant impacts to historical resources under CEQA. Historical resource environmental review is complete for purposes of this ordinance, the Code and CEQA.

As appropriate, the decision-maker may adopt a categorical exemption (including a class 31), a negative declaration for purposes of impacts to historical resources or a finding that the Project is consistent with a previously certified environmental impact report. The statement above is provided for illustrative purposes only. Nothing provided herein is intended to limit or mandate the type of CEQA finding adopted or the analysis and findings prepared and adopted for non-historic impacts to the environment.

(2) Potential Significant Impact. If for any reason the Manager determines that he or she cannot approve the city staff finding in subsection (1) above, because (i) he or she does not have adequate information to make the determination; (ii) there were no relevant Historic Development Standards; or (iii) because the relevant Historic
Development Standards would not reduce a potential impact to the PSR to less than significant, the city shall conduct further (Stage 3) review of the PSR pursuant to subsection (b) below.

(b) **Survey. (Stage 3 Review).** If the city cannot make the finding in subsection (a)(1), above, for any reason, including the Project not incorporating Historic Development Standards, the Manager shall require a Resource Survey of the PSR with sufficient detail and analysis to determine if the PSR meets the criteria for listing to the Local Register of Historic Resources or state register.

(1) **Not Eligible.** If the Manager concludes after review of the Resource Survey that the PSR does not meet the criteria for listing to the Local Register of Historic Resources or state register, the Manager shall conclude that the resource is a Non-Significant Resource. No further historical environmental review is necessary for purposes of this ordinance, the Code, or CEQA. If the Project was a ministerial project prior to the review in Section 6(a), city staff shall proceed to process the application as a ministerial project.

The Manager in his or her reasonable discretion may refer the Resource Survey to the HPC to hold a public hearing (consistent with the HPC's procedures and authority) to take additional evidence before the Manager makes a final determination under this subdivision (b)(1) unless within ten (10) years prior to submittal of the application for the Project under review: (i) the city in an adopted CEQA finding, determined that the resource was not historically significant for purposes of CEQA or (ii) the Council or the HPC accepted or officially approved a survey that found the resource was not eligible for listing to a national, state or local register. Nothing in this section is intended to limit or expand the authority of any party to initiate a proceeding to rescind or amend a designation under Section 12-1614.

(2) **Eligible for Listing to Local Register.** If the Manager concludes after reviewing the Resource Survey that the PSR meets the criteria for listing to the Local Register of Historic Resources, the Secretary to the HPC shall initiate proceedings with the HPC to designate the PSR pursuant to Section 12-1609. Once proceedings to designate are initiated, all historic environmental review related to the subject PSR under this ordinance shall be suspended until there is a final determination regarding designation.

(i) **Not Designated.** If upon a final determination, the PSR is not designated to the Local Register of Historic Resources, and the Manager has not found that the PSR is eligible for listing on the state register pursuant to subsection (3) below, city staff shall find that the resource is a Non-Significant Resource. No further historical environmental review is necessary for purposes of this ordinance, the Code, or CEQA. If the Project was a
ministerial project prior to the review in Section 6(a), city staff shall proceed to process the application as a ministerial project.

(ii) **Designated.** If the PSR is designated to be a Historic Resource, the resource shall be a SR pursuant to Section 3(q)(4) and city staff shall review the resource pursuant to Section 10.

(3) **Eligible for Listing to the California Register.** If the Manager concludes in the survey that the PSR meets the criteria for listing to the state register, the Director shall determine whether to treat the resource as a SR after considering the recommendation of the Manager.

(i) **Treat as a Non-Historically Significant Resource.** If the Director does not determine to treat the resource as a SR, city staff shall find that the resource is a Non-Significant Resource and shall adopt a written finding that the city considered whether to treat the resource as a historical resource pursuant to Public Resources Code Section 21084.1 and CEQA Guideline subsection 15064.5(a)(4) and after that review exercised its discretion not to treat the resource as a historical resource for purposes of CEQA.

The decision-making body for purposes of the Project approval or the Council, if the Council reviews the CEQA finding on appeal under Public Resources Code Section 21151(c), must expressly consider whether to adopt the Director's finding or whether it wants to exercise its discretion under CEQA section 21084.1 and Guideline subsection 15046.5(a)(4) to treat the resource as an SR.

If the PSR is found to be a Non-Significant Resource under this subsection no further historical environmental review is necessary for purposes of this ordinance, the Code, or CEQA. If the Project was a ministerial project prior to the review in Section 6(a), city staff shall proceed to process the application as a ministerial project.

(ii) **Treat as a Historically Significant Resource.** If the Director, Council, or other decision-maker, for purposes of CEQA, decides to exercise discretion and treat the PSR as a historical resource, pursuant to Public Resources Code Section 21084.1 and CEQA Guideline subsection 15064.5(a)(4), the resource shall be a SR under section 3(q)(6) and shall be reviewed under Section 10 before Project approval.
Section 10. Processing Historically Significant Resources.

(a) Application of Historic Development Standards (Stage 2 Review). When a Project Area or the Study Area includes a SR, the applicant may incorporate Historic Development Standards into the Project through enforceable standards or conditions. After applying applicable Historic Development Standards to the Project, the Manager shall determine if the Project may cause a significant adverse impact to the SR.

   (1) CEQA Finding. After the applicant has incorporated Historic Development Standards into the Project, city staff shall prepare written findings, approved by the Manager, that the Project will not cause significant impacts to historical resources under CEQA. Historical resource environmental review is complete for purposes of this ordinance, the Code, including subsection 12-1617(c), and CEQA.

   As appropriate, the decision-maker may adopt a categorical exemption (including class 31), a negative declaration for purposes of impacts to historical resources or a finding that the Project is consistent with a previously certified environmental impact report. The statement above is provided for illustrative purposes only. Nothing provided herein is intended to limit or mandate the type of CEQA finding adopted or the analysis and findings prepared and adopted for non-historic impacts to the environment.

(b) Impact Analysis. (Stage 3 Review)

   (1) Impact Study. If the Manager determines that there may be an impact to the SR after applying any and all applicable Historic Development Standards, the Manager shall cause an Impact Study to be prepared and, if necessary, a Resource Survey. The Impact Study shall document the foreseeable impacts from the Project, and feasible mitigation measures to mitigate the significant adverse changes in the significance of the SR.

   (2) Project Review. After the Impact Study is prepared, city staff shall use the study's findings to prepare the necessary and applicable CEQA finding and shall impose on the Project all feasible mitigation measures identified in the Impact Study.
(i) **Less than Significant Impact.** If the Manager concludes after reviewing the Impact Study that no significant adverse impacts may result to the SR from the Project, no further CEQA analysis is required for purposes of historical resource impacts only.

As appropriate, the decision-maker may adopt a negative declaration or a categorical exemption or make a finding that the Project is consistent with a previously certified environmental impact report. The statement above is for illustrative purposes only. Nothing provided herein is intended to limit or mandate the type of CEQA finding adopted or the analysis and findings prepared and adopted for non-historic impacts to the environment.

(ii) **No Significant Impact with Mitigation.** If the Manager concludes after reviewing the Impact Study that there will be no significant adverse impacts after the imposition of feasible mitigation measures, the city shall condition approval of the Project on the mitigation measures and no further CEQA analysis is required for purposes of historical resources.

As appropriate, the decision-maker may adopt a mitigated negative declaration. The statement above is provided for illustrative purposes only. Nothing provided herein is intended to limit or mandate the type of CEQA finding adopted or the analysis and findings prepared and adopted for non-historic impacts to the environment.

(iii) **Potentially Significant Impact with Mitigation.** If a potentially significant adverse impact remains after imposing all feasible mitigation measures identified in the Impact Study, the city shall prepare and certify an environmental impact report before approving the Project.

(iv) **Substantial Evidence Not Historically Significant.** If during preparation or after the Impact Study (and/or a Resource Survey, if it was required) is prepared, the Manager finds that a preponderance of the evidence demonstrates that a HR, as defined in Section 3(q)(4) or 3(q)(5), is not historically significant, the Manager may document his or her finding along with his or her analysis, and all of the evidence in support of his or her conclusion and treat the resource as a Non-Significant Resource. If this finding is overturned or rejected by Council after a hearing on the CEQA review or an appeal under Public Resources Code Section 21151(c), the Impact Study must be completed, if it has not already been completed, and
its findings implemented as described above in subsections (i) through (iii).

If after considering the CEQA review of a Project, including, but not limited to the Impact Study, Council finds by a preponderance of the evidence that a SR as defined in Section 3(q)(4) or 3(q)(5) is not historically significant, Council shall find that the resource is Non-Significant Resource and no further review will be necessary for purposes of historical impacts.

Nothing in this subsection is intended to require the Manager, Director, city staff or Council to refer an SR, as defined under Section 3(q)(4), to the HPC or initiate a proceeding with the HPC, for the HPC to consider rescission or amendment of the SR's designation pursuant to Section 7.