

Historic Preservation Commission Agenda

DON SIMMONS Ph.D.

Chair

CHARLOTTE KONCZAL ESQ., Vice Chair

Commission Members

**PATRICK BOYD
ROBIN GOLDBECK
JASON HATWIG
MOLLY LM SMITH
LISA WOOLF**

**JENNIFER K. CLARK, AICP
Director, Development and Resource
Management**

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

WILL TACKETT, Supervising Planner

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.

January 27, 2014

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

A. Approve Minutes of October 28, 2013 and December 16, 2013.

III. APPROVE AGENDA

IV. CONSENT CALENDAR

- A. Adopt Meeting Schedule for 2014 Calendar Year.

VI. CONTINUED MATTERS

None

VII. COMMISSION ITEMS

- A. Consideration of Approval of Request by the Property Owner to Rescind the Designation of The William Collins Home (HR#015), Located at 1752 L Street as a Heritage Property Pursuant to FMC 12-1612 (**ACTION ITEM**).

Staff Recommendation: Staff does not recommend the delisting of this c1900 property but recommends continuing item until further analysis can be completed.

VIII. CHAIRPERSON'S REPORT

- A. Review and Approve Commission's FY 2013 Annual Report.

IX. UNSCHEDULED ITEMS

- A. Members of the Commission
- B. Staff
 - 1. Update on Miscellaneous Preservation Projects.
- C. General Public

X. NEXT REGULAR MEETING: February 24, 2014.

XI. ADJOURNMENT



DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

**THE HISTORIC PRESERVATION COMMISSION
of the
CITY OF FRESNO**

2014 Meeting Schedule

*All Regular Meetings will be held on the Fourth Monday of Every Month
in Conference Room A, (2165N)
City Hall, 5:30 P.M. Unless Otherwise Noted*

***January 27th
February 24th
March 24th
April 28th
May 19th (third Monday, due to holiday)
June 23rd
July 28th
August 25th
September 22nd
October 27th
November 24th
December 15th (third Monday due to holidays)***

*For additional information, please contact Karana Hattersley-Drayton, Historic
Preservation Project Manager, (559) 621-8520 or
karana.hattersley-drayton@fresno.gov.*

Historic Preservation Commission Executive Minutes

October 28, 2013

MONDAY

6:00 p.m.

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

I. CALL TO ORDER AND ROLL CALL

*The Commission meeting was officially called to order by **Chair Don Simmons Ph.D.** at 7:16 PM, following the presentation by Robert Boro, Landscape architect, on the gardens of Thomas ("Tommy") Church.*

Commissioners Present: Don Simmons, Ph.D.; Patrick Boyd, Robin Goldbeck, Molly LM Smith, and Lisa Woolf.

Commissioners Absent: Charlotte Konczal Esq. and Jason Hatwig.

Staff Present: Karana Hattersley-Drayton (Historic Preservation Project Manager), Jennifer K. Clark (Director) and Elliot Balch (Downtown Manager).

II. APPROVE MEETING MINUTES

A. Approve Minutes of August 26, 2013 and September 23, 2013.

The minutes of August 26th were approved, 3-0-2 with motion by Molly LM Smith and second by Patrick Boyd. The minutes of September 23rd were approved, 4-0-1 with motion by Molly LM Smith and second by Patrick Boyd.

III. APPROVE AGENDA

The agenda was approved on a 5-0 vote with one change, VIC was moved to precede VIB, to allow presumably for public input. Motion by Molly Smith, second by Patrick Boyd.

IV. CONSENT CALENDAR

None

V. CONTINUED MATTERS

None

VI. COMMISSION ITEMS

A. Training/Workshop: "Landscape Architecture in Fresno: The Cal Connection." Slide Talk by Robert Boro on the Gardens of Thomas ("Tommy") Church.

The training/talk was given at 6 PM by Mr. Boro. The audience included several additional community members (32 total).

B. Review and Adopt Amendments to the Historic Preservation Commission By-Laws

Karana Hattersley-Drayton pointed out several issues in the draft amended by-laws (which were previously presented for review at the September meeting). The agenda and staff reports will now be posted ideally by the Wednesday prior to the Commission meeting (Section 8-b). The "Matters Not on Posted Agenda" refers to extraordinary circumstances only, such as an emergency demolition when an item cannot be continued until the next meeting. Section 14 (New Matter) definitely makes it inappropriate for either commissioners or the public to present documents during the meeting and then take action. One would have to present the materials two working days before the HPC or continue the item for another month. Ms. Drayton also brought up the issue of "three unexcused absence." (Article 5, Section 4). How is "unexcused" defined? She also noted that the City Attorney's Office has provided a basic resolution, should the Commission decide to adopt the amended by-laws tonight.

Don Simmons asked whether the HPC would switch to the Rosenberg Rules of Order from the Roberts.

Karana Hattersley-Drayton: Yes, Rosenberg's are incorporated as referenced in the amended By-Laws and are much more straight-forward and easy to use.

There were no other questions from the Commission and no comments from the public. On a vote of 5-0 the amended by-laws were adopted, with motion by Molly LM Smith and second by Robin Goldbeck.

C. Review and Provide Comments on Conceptual Plans for the Future Relocation of the Van Ness Gate Entrance (HP# 082) Located at 2208 S. Van Ness Avenue Due to Potential Impacts from High Speed Rail Pursuant to FMC 12-1606 (b)(5)(6).

Karana Hattersley-Drayton gave a power point with a brief history of the Van Ness Gate Entrance citing the reason for the potential relocation, due to a proposed cul-de-sac at the southern terminus of Van Ness Avenue as a consequence of the High Speed Rail corridor. **Elliot Balch** (Downtown Manager) followed with additional slides which showed the current location and the span of the arch; its potential relocation to another site on Van Ness Avenue (where it would fit, with some adjustment), a site on Fresno Street (where it would not fit) and finally a location at the top of Fulton Mall/Street (Tuolumne and Fulton). Image showing potential location of the arch at Fulton Street was prepared by Suzanne Bertz-Rosa.

Commissioner Woolf: Observed that the arch will need to be taken apart anyway so adding a piece, if that is needed for a specific location, will not be an issue.

Bill Robinson: Asked whether this would work in the Fulton Mall project? (Answer from Mr. Balch is yes.)

Commissioner Woolf: Commented that the Fulton Mall location was beautiful.

Chair Simmons called upon **Sally Caglia**, whose father Frank restored the sign in 1989-90, to comment on her thoughts for a new location.

Sally Caglia: The current sign was constructed in 1929. She feels that the Fulton Street/Mall location fits architecturally with the adjacent buildings of the Warnor's Theater and the San Joaquin Light and Power Company. Reminded the Commissioners that the Tuolumne Street overpass will go away and thus this will be an even more marked entrance into downtown Fresno. Remarked how much her father loved Fresno.

Don Simmons: Asked if there was any reason to not keep it in its current location at the foot of Van Ness?

Sally Caglia: *There will be a 12-foot fence there and the sign would not be easily seen. She would also worry about vibrations from the passing train. She is personally not concerned about the loss of the sign on Van Ness; thinks if moved to another street there could be a plaque explaining the reason for the new location.*

Elliot Balch: *In terms of place making the arch is nicely framed at the Fulton Mall/Street location.*

Molly LM Smith: *Agrees that the Fulton Street location is the logical entrance to downtown, would provide an anchor and would announce downtown Fresno. The sign would not have to be altered to fit there, something she could not support.*

Lisa Woolf: *Sign could be changed to say "downtown."*

Molly LM Smith: *Likes idea of adding a plaque that identifies the former location.*

Robin Goldbeck: *The location at the entrance to the Fulton Mall (or Street) would add a "there, there," a place to gather: "Meet me at the arch."*

Patrick Boyd: *Prefers to see the sign visible from the highway, a reason to draw people off the freeway into the City. It is important to have branding. Sign could work well anywhere downtown, suggests that other gateway locations be reviewed as well. If it was placed at the Fulton Mall would need to change out and replace some of the light posts and other "goofy stuff" that is currently at this site.*

Elliot Balch: *Noted that Tuolumne and H will be an intersection.*

Patrick Boyd: *Another potential location is that the arch could serve as the entrance point to the High Speed Rail Station to downtown. In that case it would be a pedestrian entrance; one could see it from the train. It would convey Fresno's respect for history.*

Don Simmons: *Also favors the relocation to the Mariposa entrance of the High Speed Rail station. One could therefore walk by the sign, not just drive by. It is important to be able to read the sign. Put it in a place that is pedestrian friendly, and which also can serve as a place maker and photo option for weddings.*

The agenda item was opened to the public for comment by Chair Simmons.

Patricia Rodriguez (Fresno State Humanics Student) *spoke to the importance of catching visitors, and stressed the importance of our history and culture. She likes the Fulton Mall location.*

Greta Chase (?): *If the sign was moved to be near the station, would we have a say about landscaping (concern apparently about current parking lots there).*

Elliot Balch: *Noted that ideally need to remove parking lots at both Mariposa and Fulton Mall locations.*

The agenda item was closed to the public.

VII. CHAIRPERSON'S REPORT

- A. Discuss Commission's FY 2013 Annual Report to the Council.

Chair Simmons *encouraged the Commissioners to send him any additional activities they had attended or extracurricular duties to include in the annual report. [Since the HPC is required to visit sites prior to a vote*

Ms. Drayton discouraged listing these visits in the document.] Dr. Simmons requested that Karana send him any photos or additional information.

B. Update on Meetings of the Fulton Mall Design Steering Committee.

Chair Simmons is a member of the Fulton Mall Design Steering Committee, which has met numerous times with the City's consultants who are tasked with designing the three options for the Fulton Mall. Dr. Simmons stated that there have been open discussions about all three alternatives, and that there is no one favorite, with pros and cons for each. There is no perfect alternative. He voiced a concern that staff of the Downtown Partnership has taken a strong anti-preservationist stance, with negative comments on Facebook. He feels that these are not helpful and that preservationists have been made to look anti-progress and anti-downtown, which is not the case. He stressed that this is not a healthy conversation and also was concerned that there had been no consultation with the Historic Preservation Commission as a whole.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

1. Sub-Committee Report on the Craycroft Home (HP#182). *Lisa Woolf recused herself from this agenda item and left the room, as she is potentially interested in buying the Craycroft.*

Molly LM Smith reported for the sub-committee as Jason Hatwig is out of town. The property owner allowed for Ms. Woolf, her engineer and others, including Mr. Hatwig, engineering staff from Fresno State University and Scott Vincent, architect, to tour the site on Wednesday the 23rd. Jason prepared a report that was not forwarded yet to the Commission as the hope was to have additional comments from Scott Vincent added to it. There were varying perspectives, with the San Francisco-based engineer rather discouraging and Mr. Vincent, who recently took the lead on the restoration of the Helm Home, very upbeat. Jason Hatwig had reported on the potential use of the epoxy solution for the inner walls, however he also noted that the psi on the bricks is VERY high, and there is no evidence of stress on the outer walls... in short, although the building has issues it appears to be structurally quite strong. Karana Hattersley-Drayton recommended that the sub-committee incorporate Mr. Vincent's observations into a more thorough report for the next meeting.

Molly Smith stated that she will be out-of-town and not present at the November meeting.

B. Staff

1. After Action Report on "Raise the Roof for the King of Western Swing" October 26th.

Karana Hattersley-Drayton reported that the fundraiser at AP Cal was musically a very successful event, with attendance by both Carolyn Wills (daughter of Bob Wills) and a performance by Dayna Wills, his niece. There were two separate pedal steel players and at one time, three fiddlers on stage. The venue was also very nice BUT the attendance was poor, unfortunately.

2. Bike Through History 2 November 2013.

Karana reminded the Commissioners that Bike Through History is this next Saturday, with a tour through three historic neighborhoods. We still need a couple of volunteers to help.

3. Fulton Mall Notice of Preparation Scoping Meeting 5 November 5-8 PM (Council Chambers).

Ms. Hattersley-Drayton announced that the Scoping Meeting for the Fulton Mall EIR is next week.

4. Status Report on Preparation of Survey Forms for the Proposed Huntington Blvd. Historic

District.

Karana reported that she recently finished the survey work for the south side of Huntington Blvd. and still needs to finish the write-up of some of the survey forms for these properties. Work on this very extensive District is thus 40% complete.

C. General Public

There were no reports from the public.

IX. NEXT REGULAR MEETING: November 18, 2013

X. ADJOURNMENT

The meeting was adjourned by Chair Simmons at 9:25 P.M.

Respectfully submitted:

*Karana Hattersley-Drayton
Historic Preservation Project Manager
Secretary, HPC*

2600 Fresno Street, Third Floor

Historic Preservation Commission Minutes

December 16, 2013

MONDAY

6:00 p.m.

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

I. CALL TO ORDER AND ROLL CALL

*The meeting was called to order at 6:03 P.M by the Commission Vice Chair, **Charlotte Konczal Esq.***

Commissioners Present: Boyd, Goldbeck, Hatwig, Konczal, Woolf (arrived 6:07)

Commissioners Absent: Simmons, Smith.

Staff Present: Hattersley-Drayton, Tackett, Clark; Elliott Balch, Kathryn Phelan Esq (Consultant to the City).

II. APPROVE MEETING MINUTES

A. Approve Minutes of October 28, 2013.

No action was taken due to a lack of a quorum of members actually present at the October meeting.

III. APPROVE AGENDA

***Karana Hattersley-Drayton** asked if item VIII.B.1 could be heard first (the brief report on Bike Through History). Additionally, due to a temporary lack of a quorum, Item VI. C was moved to be heard before VI.A and VI. B. The revised agenda was approved 4-0 (with two absences and **Commissioner Woolf** not yet present); with motion made by **Vice-Chair Konczal** and a second by **Robin Goldbeck**.*

IV. CONSENT CALENDAR

There were no items on the consent calendar.

V. CONTINUED MATTERS

There were no continued items.

VI. COMMISSION ITEMS

- A. Review and Make Findings on Non-Permitted Work to the Liberty Laundry (HP#262) Located at 1830 Inyo Street Pursuant to FMC 12-1617,12-1626 and 12-1628 (**Action Item**).

Staff Recommendation: Require that the cantilevered canopy which was removed without permit be rebuilt with like materials and in like style.

(This item was heard after VIC).

Patrick Boyd recused himself from the following two agenda items and left the meeting room.

Karana Hattersley-Drayton gave the staff presentation via Power Point, noting that the action of removing the cantilevered awning, a character-defining feature of the building, was a violation of both the Historic Preservation Ordinance as well as the city's building ordinance.

Jason Hatwig: Agrees with staff. Also acknowledges public safety hazard and potential liability leading to removal, as understandable. Would like to see awning restored to something similar to what was there.

Lawrence Clark (Property owner, 19772 South Elgin, Dos Palos): Perceived that the awning was a liability and noticed that the brick façade was pulling away during roof repairs. Brick on façade is unique and likely not replaceable.

Robin Goldbeck asked what was behind the brick façade; is there anything additionally that the canopy can attach to?

Lawrence Clark: The building was never designed for load in the respective direction and out to the street. Reviewed by a structural engineer and the determination was made that the building could not handle the load for an awning of any size or shape.

Jason Hatwig: Could it be freestanding?

Mr. Clark: This could be done but it would look drastically different.

Lisa Woolf: Did property owner know that the awning was part of the historic character?

Mr. Clark: Yes, but it was in a dangerous condition and liability was a bigger concern.

Lisa Woolf: Does the new design incorporate anything like the original awning?

Mr. Clark: An awning is proposed for the Broadway building [adjacent to Liberty Laundry and owned by Mr. Clark] but no solution for Liberty Laundry elevation.

Lisa Woolf: Asked about prior owners and city actions.

Karana Hattersley-Drayton: There were code violations through the City in 2006. The Historic Preservation Commission has never reviewed these violations.

Charlotte Konczal: Has the property owner pursued replacement of the awning with a structural engineer?

Mr. Clark: This would require support posts or columns at all corners.

Jason Hatwig: The alternative might be to reduce the size of the awning.

Robin Goldbeck: Agrees with Hatwig. Original canopy brought the building to the street. It is likely that an alternative would be acceptable.

Lisa Woolf: Does not like the idea of recreating a previous problem. She likes the proposed design and is happy that the building is not being demolished.

Charlotte Konczal: She heard from members of the public when the awning was removed. It is an important element of this building.

Lisa Woolf: Does not want to impose a requirement that renders the project infeasible.

Charlotte Konczal: She reminds Commissioner Woolf that there is a separate agenda items to discuss the site plan and project design.

Jason Hatwig: Feels that there are feasible alternatives based upon smaller size and alternative materials.

Charlotte Konczal: Does the lack of the awning affect integrity of the building?

Karana Hattersley-Drayton: Yes. The cantilevered awning is a character defining feature. Renovation of the building must be consistent with the Secretary of the Interior's Standards [which are critical in both the City's Historic Preservation Ordinance and under CEQA for a Categorical Exemption Class 31]. Replacement of the awning could be phased in if that was helpful. As a reminder, the Liberty Laundry was found eligible for listing under both Criteria i and iii (iii is for architectural merit).

Charlotte Konczal: It is not the role of the Commission [in this case] to make a decision based upon financial feasibility.

Clark: There is a bottom-line for the project. He will have to consider impact of recommendations. Even exploration of alternatives requires additional structural analysis. Additional structures within the City's right-of-way may also be an issue for ADA.

Goldbeck: What is the width of the sidewalk?

Clark: 12 feet.

Goldbeck: [Asks about the costs/savings associated with a designated versus non-designated building.]

Clark: This has not yet been realized. Restoration will likely exceed reconstruction costs and there may be additional elements of the building that have yet to be exposed.

[Commission asked to have second item heard before making a finding on first]

- B. Review and Make Findings on Site Plan Application No. S-13-061 for the Liberty Laundry (HP#262) Located at 1830 Inyo Street Pursuant to FMC 12-1617 (**Action Item**).

Staff Recommendation: Support all project elements which are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Karana Hattersley-Drayton made the staff presentation via Power Point reiterating that most of the proposed work is in keeping with the Secretary of the Interior's Standards with two exceptions: the removal of the awning (as previously discussed) and the changes to the stepped parapet with the addition of foam trim. Should the Commission approve the design as submitted the project will not qualify for a Categorical Exemption under CEQA (Class 31). The CEQA exemption will help expedite the project.

Clark: Corbel was proposed to reinforce and tie the building together but feels that the façade could potentially be strengthened from the backside, glass panels have been a major concern for energy and safety/security.

Woolf: *Wondered if these plans were final?*

Clark: *No, he knew that he had to come to the Commission.*

Hatwig: *Commended property owner for commitment to and appreciation of the building. He thinks this is a great project but does support replacement of awning.*

The agenda item was opened to the public. There were no public comments and the public comment period was closed.

Goldbeck: *She would like to see an awning but it is not set that it has to cantilever (thus have no additional posts or supports). Does the proposed work meet the Standards (with exception of the awning and parapet work)?*

Hattersley-Drayton: *That is correct.*

Hatwig: *Notes that the new windows will also be steel; only glazing will change except the east elevation panel. [Actually the plans propose to infill all the west elevation windows due to intense heat gain.]*

VI.A. Charlotte Konczal moved that the Commission accept the staff recommendation, that the cantilevered canopy which was removed without permit be rebuilt with like materials and in like style but that the "Liberty Laundry" signage not be required. The motion was seconded by Robin Goldbeck and carried 4-0.

VI.B. Charlotte Konczal moved that the Commission accept the staff recommendation, thus approve the project as submitted with the exception of the cantilevered awning and parapet foam work as being in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and find that the project is Categorically Exempt under the California Environmental Quality Act Class 31 (15331) and Class 32 (15332). Jason Hatwig seconded the motion which carried, 3-1 with Woolf voting no.

C. Review and Provide Comments on the Draft Environmental Impact Report for the Fulton Mall Reconstruction Project, City of Fresno, California (State Clearinghouse Number 2013101046) Pursuant to FMC 12-1606 (5) **(Action Item).**

Karana Hattersley-Drayton introduced Downtown Revitalization Manager **Elliott Balch**. She also noted that formal comments are due to Mr. Balch by January 13th.

Elliott Balch: *Mr. Balch gave a Power Point presentation that included a history of the project and protocols to date. The Draft EIR evaluates approximately 15 alternatives with option 1 currently the preferred alternative from the City's administration. Caltrans is preparing a 4F document which should be out for review in late winter.*

Jason Hatwig: *Asked for clarification about option 1 versus alternative 1. Are they the same? (Balch answered, no.)*

Kathryn Phelan, Esq. (Consulting attorney for City): *Clarified that no funds have been committed by the City, this will occur at the Council's discretion. Commission comments need to be approved through a resolution adopted tonight and forwarded by letter through Karana [Secretary] to Mr. Balch. Individual commissioners and the public may also submit comments by letter.*

Karana Hattersley-Drayton clarified that the Commission is authorized to provide comments but does not have authority to approve or deny.

Kathryn Phelan, Esq. Public comments will not be included in any HPC recommendations.

Elliott Balch: Option 1 typically relocates and reduces size of the fountains; Option 2 keeps these in the same basic location and size.

Robin Goldbeck: Wanted confirmation that both options 1 and 2 are eligible for the TIGER funding.

Elliott Balch: Yes, but based upon the direction of the Mayor, design plans for Option 1 will be prepared first.

Patrick Boyd: The Fresno Arts Council has recognized that statue features including pedestals, mountings etc are also important, not just the sculptures themselves.

Elliott Balch: Noted that artwork would have better visibility and lighting.

Charlotte Konczal: What commitment is there to keep the fountains operating?

Elliott Balch: Reconstruction will help to ensure sustainability.

The agenda item was open to the public.

Douglas Richert (Downtown Fresno Coalition): The economic factors presented are not the concern of the HPC. He recommends that the Commission adopt a resolution finding that the DEIR is inadequate. The public was told that they would participate in alternative selection process. He noted that TIGER grants are made not just for transportation projects (not just for autos). Option 3 (the restoration of the Fulton Mall) was not even analyzed and there is no economic analysis of the feasibility of Option 3.

Susan McKline (Downtown Fresno Coalition): Funds listed seem inadequate for scope of work. Option 3 warrants further consideration. Council should consider Option 3 as a feasible alternative. Does not feel that Option 1 will be as successful as predicted.

As there was no other public wishing to speak, the public comment period was closed.

Elliott Balch: Noted that Option 3 is considered in the EIR but is determined to not meet all project objectives.

Patrick Boyd: Asked staff for clarification of property's historic designation.

Karana Hattersley-Drayton: The Fulton Mall is not on Fresno's Local Register and therefore the Commission does not have authority under the City's Historic Preservation Ordinance to approve (or deny) permits or plans for it. The Commission may provide recommendations and make comments.

Lisa Woolf: Asked if the Mall was on the National Register.

Karana Hattersley-Drayton: Mall was found eligible for the National Register but more than 50% of the property owners objected to listing. The Keeper of the National Register [following action by the California Historical Resources Commission and the SHPO] found it eligible for listing and due to the formal NR eligibility the Fulton Mall is listed on the California Register of Historical Resources and is therefore a

historical resource for the purposes of CEQA (the California Environmental Quality Act).

Lisa Woolf: *How much authority does the Commission have in this matter?*

Karana Hattersley-Drayton: *May provide comments on the CEQA document.*

Lisa Woolf: *Proposes a motion of support for Option 1.*

Robin Goldbeck: *Clarified that Option 2 is still proceeding as well.*

Elliott Balch: *Actually Option 2 is only to a 30% design for CEQA. Further design work is required for Option 1 in order to meet TIGER submittal requirements.*

Karana Hattersley-Drayton: *Clarified that the Commission may comment on any Option (or alternative).*

Jason Hatwig: *Seconded the motion made by Commissioner Woolf. He feels that Option 1 puts people in closer contact to the mall and its amenities while protecting and retaining most features. This option offers the most vitality to bring the public into these spaces.*

The motion to support Option 1 of the Fulton Mall Reconstruction Project passed on a vote of 4-1, with Goldbeck voting no.

Karana Hattersley-Drayton *asked whether the Commission felt that the project has an adverse impact (change) to the designated historic properties on the Mall. The staff opinion (as included in the staff report) is that the historic buildings were all constructed prior to the Mall, when Fulton Street was a street and that changes to the Mall do not adversely affect the historicity of the buildings.*

Patrick Boyd: *Concurs, there is little concern respective to negative impacts on the historic buildings.*

D. Review and Provide Comments on the City's CLG Annual Report Pursuant to FMC 12-1606
(b)(16)t (Action Item).

Staff Recommendation: Review and provide comments.

Jason Hatwig *noted a typo on page 5, Patrick Boyd's service date; also a typo in the CLG template language issued by the State. He wondered why information was missing on pages 11-12 and Karana Hattersley-Drayton responded that this section was for new CLG's. He wondered about the problems with posting the City's Historic database on line. Karana responded that there are errors in some of the entries in the 5,000 plus database which ideally should be cleaned up before going public.*

The item was open for public comment.

Bill Robinson *opined that it is better to post the database with a disclaimer.*

The agenda item was closed due to no further public testimony.

Charlotte Konczal *moved to accept the report with corrections. The motion was seconded by Patrick Boyd and passed 5-0.*

VII. CHAIRPERSON'S REPORT

There was no Chair report.

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

1. Sub-Committee Report on the Craycroft Home (HP#182).

Jason Hatwig reported on the site visit and inspection.

Patrick Boyd asked is the use of plastic and foam (as infill for the walls) is an option?

Hatwig: Confirmed that this could add to the structural support of the building but does not provide sufficient insulation to code.

Konczal: Suggested that item as sub-committee report return for discussion in March.

Wolf: Opined that the Craycroft appears more feasible for use as a home.

B. Staff

1. Bike Through History 2 November 2013.
2. Preservation Partners: May 2014 events.

Karana Hattersley-Drayton gave a brief power point on the Bike Through History event at the beginning of the meeting. She also mentioned that the owner of the Hotel Fresno is interested in the potential for a special event at the hotel in May.

C. General Public

There were no other comments from the public.

IX. NEXT REGULAR MEETING: January 27, 2014.

X. ADJOURNMENT

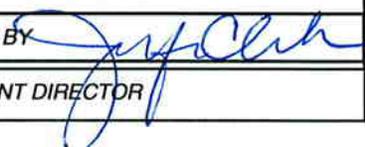
The meeting was adjourned at 8:40 PM.

Respectfully submitted:

*Karana Hattersley-Drayton, Secretary and
Will Tackett, Recording Secretary*



REPORT TO THE HISTORIC PRESERVATION COMMISSION

AGENDA ITEM NO. VII.A
HPC MEETING: 1/27/2014
APPROVED BY 
DEPARTMENT DIRECTOR

January 27, 2014

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

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

SUBJECT: CONSIDERATION OF APPROVAL OF REQUEST BY THE PROPERTY OWNER TO RESCIND THE DESIGNATION OF THE COLLINS HOME (HR#015) LOCATED AT 1752 L STREET AS A HERITAGE PROPERTY PURSUANT TO FMC 12-1612 (**ACTION ITEM**).

RECOMMENDATION

Staff recommends that the Historic Preservation Commission receive testimony on the request by Granville Homes to delist the Collin’s Home as a Heritage Property. Staff does not support the request to rescind the designation but recommends that the Commission delay a final decision until the February 24th 2014 meeting, to allow time for further analysis.

EXECUTIVE SUMMARY

On June 11, 2010 the property owner, Granville Homes Inc., requested that the William Collins Home located at 1752 L Street be “nominated as [a] Local Historic Resource” (Exhibit A). After several postponements the c1900 home was reviewed by the Historic Preservation Commission and designated as a Heritage Property (HR#15) on June 27, 2011. On January 6, 2014 Granville Homes’ staff contacted the City’s Historic Preservation Project Manager by e-mail. This correspondence provided a timeline for the property owner’s involvement in the project, cited several architectural concerns, and inquired about the possibility of City funds for either acquisition of the home or a grant for restoration of the property. Granville then formally requested that the home be delisted as a Heritage Property. It is the opinion of City staff that the William Collins Home continues to meet the definition of a “heritage property,” thus a “resource which is worthy of preservation because of its historical, architectural or aesthetic merit...” due to its age and architectural merits (FMC 12-1603(n)). However, City management is interested in meeting with the property owner to discuss possible options. Thus staff recommends that the Commission discuss and receive testimony tonight regarding the property owner’s request but delay in making a final decision until February 24th.

BACKGROUND

The William Collins Home is a 2-story building initially constructed circa 1900 as a one story vernacular cross-gabled cottage with Greek Revival treatment on the cornice of the front facing gables and 2/2 double hung sash windows. Prior to 1918 a second story was added and articulated with late Queen Anne/Craftsman details (Exhibit B). The building has served as a single family residence, a multi-family residence, and more recently for profit and non-profit businesses.

Fresno’s Historic Preservation Ordinance identifies several possible strategies and categories for listing a property: individually as a historic resource on the Local Register of Historic Resources, designation of multiple properties as a local historic district, and individual listing as a “heritage property.” “Heritage Property” is defined in the Historic Preservation Ordinance as a “resource which is worthy of preservation

because of its historical, architectural or aesthetic merit but which is not proposed for and is not designated as a Historic Resource..." (FMC 12-1603(n)).

The Heritage Property category was established for resources that have historic merit but which may have problems with integrity (such as the Josiah Royce Hall) or which may be a contributor to a proposed historic district but which lack significance as an individual resource. Listing through this program of the Ordinance allows use of the California Historical Building Code and a measure of protection. Unlike the historic resource protocol, heritage properties may only be nominated by the owner or an authorized agent of the owner. A listing of a heritage property may also be rescinded more easily by the owner (FMC 12-1612(d)). There is no requirement to publish a public notice in a local newspaper and the nomination is not automatically forwarded to the City Council for consideration.

The protocol for designation of a Heritage Property is found at FMC 12-1612. The property owner, Granville Homes, Inc. requested in writing that the Collins Home be designated in part to demonstrate their dedication to preservation of this early Fresno neighborhood. Maintenance plans for the home, submitted in a letter addressed to the City's Historic Preservation Project Manager on June 11, 2010, included restoration of the exterior, including repair of broken windows and siding and renovation of the interior (Exhibit A). This work has not been completed.

The Collins Home met the definition of a heritage property as contained in 12-1603(n) as it is among the oldest properties in the neighborhood, pre-dating in both construction date and style the homes on the west side of L Street. As initially evaluated by staff in 2006 the property warranted listing due to its age and architectural integrity, with a period of significance of 1900-1918. Modern intrusions, such as the fixed plate glass window on the façade and the brick facing, contributed to a loss of integrity, thus rendering the home not eligible for individual listing on the Local Register of Historic Resources. However, city staff, the Commission and the Property owner all found that the home warranted listing as a heritage property and it was so designated on June 27, 2011.

On January 6, 2014, Amber Martinez, Project Manager for Granville Homes, contacted City staff by e-mail regarding the property. The correspondence outlined the history of the developer's involvement with the Collin's Home and listed several structural concerns which were the product of the early "haphazard" additions to the home, including:

- Floor level in the additions is lower by 2 inches with a defined floor slope on 2nd story
- Moisture intrusion due to roof restructuring in making the pre-1918 additions

Granville staff is citing "the extreme and poor quality modifications, along with the lack of structural and historical integrity" as severe enough to warrant delisting of the Collins Home. No further disposition of the property has been discussed but it is probable that delisting would lead to a demolition request.

However, a "heritage property" needs only to be deemed "worthy of preservation." There is no requirement for age, historic significance or integrity, as there is with resources being considered for the Local Register of Historic Resources. Structural or economic issues are also not a factor in considering their worthiness for listing. There is no information that leads staff to believe that the initial request by the property owner and the designation by the Historic Preservation Commission were based on erroneous information. Other than boarded and broken windows, nothing on the exterior of this home appears to have changed. The William Collins Home is the oldest extant building on a block that has

witnessed numerous changes and losses over the years. The home continues to be an important contributor to this late 19th and early 20th century neighborhood and one worthy of preservation.

CEQA:

The designation or de-listing of a heritage property is not a project as defined by the California Environmental Quality Act (CEQA). Staff is unaware of any other applications or entitlements for this particular parcel that would warrant CEQA review.

Attachments:

- Exhibit A – Letter to Karana Hattersley-Drayton from Darius Assemi, President, Granville Homes Inc. 11 June 2010.
- Exhibit B - Report to the Historic Preservation Commission 27 June 2011.
- Exhibit C - FMC 12-1612 Heritage Properties.



June 11, 2010

Mrs. Karana Hattersley-Drayton
Historic Preservation Project Manager
City of Fresno

Re: 'L' Street Plan

Dear Mrs. Hattersley-Drayton:

As you are aware, Granville Homes is in contract with the Housing Authorities of the City and Counties of Fresno ("HACCF"), to purchase the properties they currently own on L Street and San Joaquin Street. It is our intent pending the close of escrow to nominate the "Newman J. Levinson" to be added to the list of Local Historical Resources once relocated. We also would like to nominate as a local resource the William Collins Home. Granville Homes will proceed with its plan, as summarized below.

- 1) "Newman J. Levinson"
 - a. Request "Newman J. Levinson" be added to the list of Local Historical Resources once relocated (Exhibit A – Nomination as Local Historic Resource)

- 2) 1752 L Street "the William Collins Home" – (Exhibit B – Nomination as Local Historic Resource)
 - a. Cleanup exterior of building (siding, broken windows, etc)
 - b. Renovate interior

With the respectful request for cooperation by the HPC, we feel that we can not only help alleviate some of the ongoing neglect that is occurring in this area, but also add new multi-family housing that will bring new people and new revenue into the area. Without the HPC's help in this matter, however, we subject ourselves, current L Street residents, and the city in general to the continued degeneration of a once-thriving community.

Please feel free to contact me with any questions or for further clarification as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Darius Assemi", written over a horizontal line.

Darius Assemi
President



REPORT TO THE HISTORIC PRESERVATION COMMISSION

AGENDA ITEM NO. VB
HPC MEETING: 06/27/2011

June 27, 2011

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

APPROVED BY

DEPARTMENT DIRECTOR

BY: KARANA HATTERSLEY-DRAYTON
Secretary
Historic Preservation Project Manager

SUBJECT: CONSIDERATION OF APPROVAL OF REQUEST BY THE PROPERTY OWNER TO DESIGNATE THE WILLIAM COLLINS HOME LOCATED AT 1752 L STREET AS A HERITAGE PROEPRTY AND ADOPTION OF FINDINGS NECESSARY TO SUPPORT THE DESIGNATION PURSUANT TO FMC 12-1612.

RECOMMENDATION

Staff recommends that the Commission designate the William Collins Home located at 1752 L Street as a Heritage Property pursuant to FMC 12-1612.

EXECUTIVE SUMMARY

The property owners, FFDA Properties LLC (aka Granville Homes Inc.) have requested that their property located at 1752 L Street be considered for designation as a heritage property pursuant to FMC 12-1612. The building was constructed c1900 and has had numerous additions over the years. In 2006 Historic Preservation staff, upon request of a prior property owner (One by One Leadership Foundation) prepared State of California survey forms and found that the home was eligible for designation as a heritage property (Exhibits B and C). The consideration for designation was scheduled to be reviewed by the Historic Preservation Commission at its March 27, 2006 meeting but the item was removed from the agenda prior to hearing as the property was at the time in escrow. The property was once again slated for consideration for designation at the June 28, 2010, April 25, 2011 and May 23, 2011 meetings of the Commission but was once again removed from the agenda. The William Collins home is an important contributor to this late 19th/early 20th neighborhood.

BACKGROUND

Pursuant to FMC 12-1612, the property owners have requested that the William Collins Home located at 1752 L Street be considered for designation as a Heritage Property. The 2-story building was initially constructed circa 1900 as a one story vernacular cross-gabled cottage, with Greek Revival treatment on the cornice of the front facing gables and 2/2 double hung sash windows. Prior to 1918 a second story was added and articulated with late Queen Anne/Craftsman details (Exhibits B and C). The building has served as a single family residence, a multi-family residence, and most recently for profit and non-profit businesses.

Fresno's Historic Preservation Ordinance identifies several possible strategies and categories for listing a property on the Local Register of Historic Resources: individually as a historic resource, designation of multiple properties as a local historic district, and individual listing as a "heritage property." "Heritage Property" is defined in the Historic Preservation Ordinance as a "resource which is worthy of preservation because of its historical, architectural or aesthetic merit but which is not proposed for and is not designated as a Historic Resource..." (FMC 12-1603(n)).

The Heritage Property category was established for resources that have historic merit but which may have problems with integrity (such as the Josiah Royce Hall) or which may be a contributor to a proposed historic district but which lack significance as an individual resource. Listing through this program of the Ordinance allows use of the California Historical Building Code and a measure of protection. Unlike the historic resource protocol, heritage properties may only be nominated by the owner or an authorized agent of the owner. A listing of a heritage property may also be rescinded more easily by the owner (FMC 12-1612(d)). There is no requirement to publish a public notice in a local newspaper and the nomination is not forwarded to the City Council for consideration.

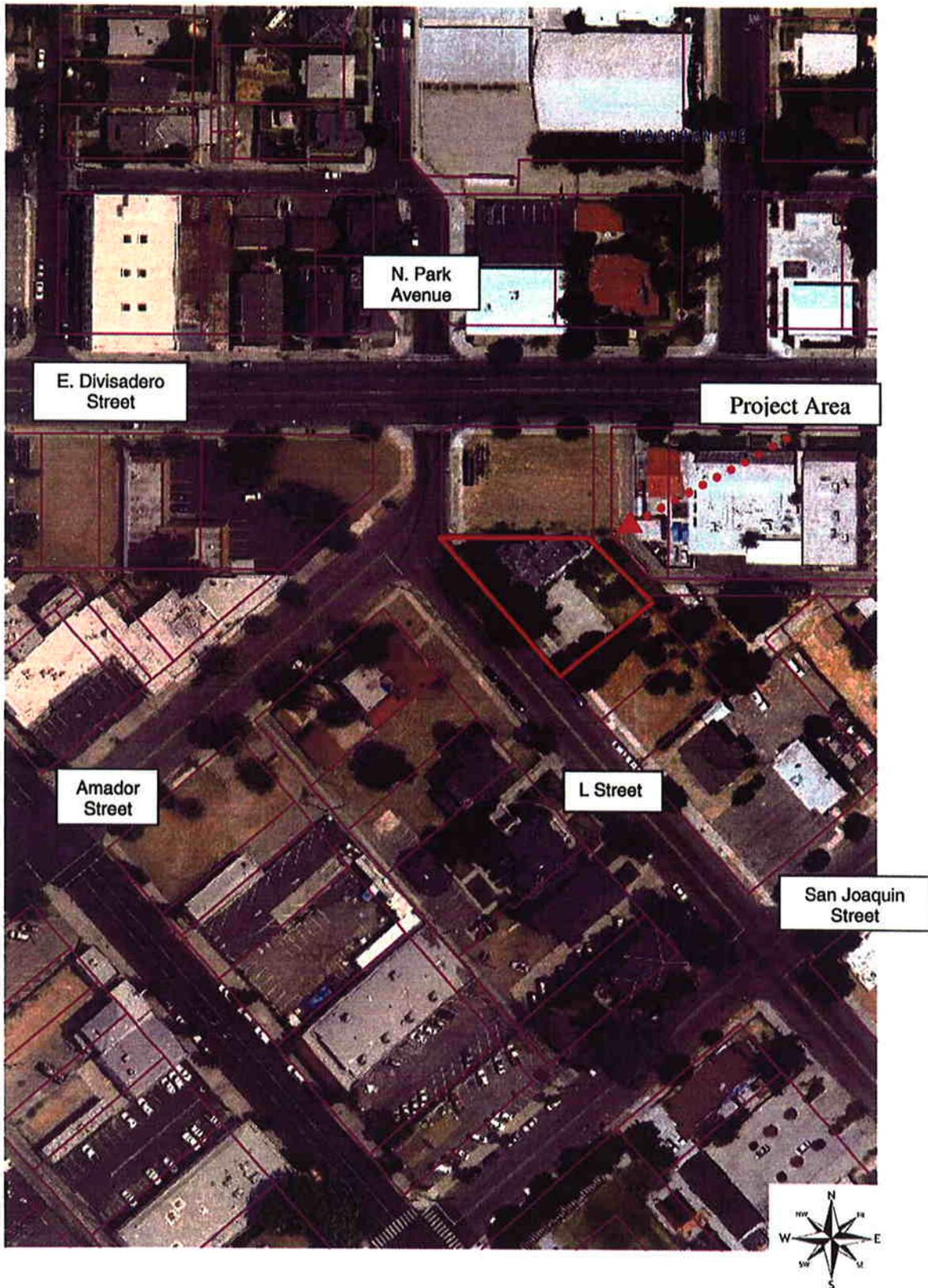
The protocol for designation of a Heritage Property is found at FMC 12-1612. The property owner has requested in writing that the Collins Home be designated in part to demonstrate their dedication to preservation of this early Fresno neighborhood. Maintenance plans for the home, submitted in a letter addressed to the City's Historic Preservation Project Manager on June 11, 2010, include restoration of the exterior, including repair of broken windows and siding and renovation of the interior (Exhibit D).

The Collins Home appears to be meet the definition of a heritage property as contained in 12-1603(n) as it is among the oldest properties in the neighborhood, pre-dating in both construction date and style the homes on the west side of L Street.. As initially evaluated by staff in 2006 the property warrants listing due both to its age and architectural integrity, with a period of significance of 1900-1918. Modern intrusions, such as the fixed plate glass window on the façade and the brick facing have contributed to a loss of integrity, thus rendering the home not eligible for individual listing on the Local Register of Historic Resources.

Staff recommends that the Commission make a finding designating the William Collins Home as a Heritage Property.

- Attachments:
- Exhibit A - Aerial Photograph (2008) for Collins Home.
 - Exhibit B - Updated DPF 523 Form for the William Collins Home 19 June 2010.
 - Exhibit C - State of California Primary and BSO Forms for The William Collins Home Prepared March 2006 Prepared by Will Tackett.
 - Exhibit D - Letter Requesting Designation of the William Collins Home 11 June 2010.

Aerial Photograph (2008)
William Collins Home
1758 L Street



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

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

P1. Resource Name(s) or Number: William Collins Home

***P2. Location:** *a. County: Fresno

*b. USGS 7.5' Quad: Fresno South, 1963; Photorevised 1981: Parcel located in Section 4,
T12S/R20E

c. Address: 1752 "L" Street

d. Assessor's Parcel Number: 466-103-12

***P3a. Description:** Please see attached dpr forms prepared in March 2006.

***P3b. Resource Attributes:** HP3 (Multiple family property); HP6 (Commercial Building, 1-3 stories)

***P4. Resources Present:** ●Building



P5b Photo date: June 17, 2010

***P6. Date Constructed/Age and Sources:** c1900 Sanborn Fire Insurance Maps (see attached)

***P7. Owner and Address:**
FFDA Properties LLC
1396 W. Herndon #101
Fresno, CA 93711

***P8. Recorded by:**
Photo update, Karana
Hattersley-Drayton, Historic
Preservation Project Manager
City of Fresno

***P9. Date Recorded:**
March 20, 2006

***P10. Survey Type:** Intensive

***P11. Report Citation:** Evaluation of 1752 "L" Street, The William Collins Home, for the Local Register of Historic Resources

***Attachments:** ● Building, Structure and Object Report; ● Continuation Sheet

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

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

P1. Resource Name(s) or Number: William Collins Home

***P2. Location: *a. County:** Fresno

***b. USGS 7.5' Quad:** Fresno South, 1963, Photorevised 1981; Parcel located in Section 4, T14S/R20E

c. Address: 1752 "L" Street

d. Assessor's Parcel Number: 466-103-12

***P3a. Description:** This large irregularly shaped two-story home was originally constructed as a single story home, of moderate size, with an essentially square floor plan and forward protruding ell facing southwest onto "L" Street. The standard frame construction is clad with 10-inch horizontal channel siding. Composition shingles cover the normal to steep pitched roof with moderately overhanging boxed eaves and fascia boards. Several rooflines may be seen on this structure due to the additions and alterations to the original floor plan: The original square and ell are cross-gabled and feature triangular pediments with cornice returns on the gable-ends; the second story facade incorporates two shed style dormers; and hipped and shed style sections may be found at various locations atop the rear additions to the building. Fenestration incorporates fixed single sash picture windows left and right of the main entry, with double-hung sash windows filling the majority of the remaining piercings.

***P3b. Resource Attributes:** HP3 (Multiple family property); HP6 (Commercial Building, 1-3 stories)

***P4. Resources Present:** ● Building



P5b Photo date:
February 08, 2006

***P6. Date Constructed/Age and Sources:** ca. 1900/
Sanborn Insurance Maps;
Polk Husted Directory of
Householders; TRW First
American Real Estate
Information; City and County
of Fresno building records.

***P7. Owner and Address:**
John S. Shegerian
P.O. Box 2428
Fresno, California 93745

***P8. Recorded by:**
Will Tackett, Planner II,
Historic Preservation Aide,
City of Fresno

***P9. Date Recorded:**
March 20, 2006

***P10. Survey Type:** Intensive

***P11. Report Citation:** Evaluation of 1752 "L" Street for the Local Register of Historic Resources

***Attachments:** ● Building, Structure and Object Report ● Continuation Sheet

*Recorded by: Will Tackett

*Date March 20, 2006 ■ Continuation □ Update

Many of the double-hung sash windows have blank lower panes with patterned panes above. These windows are readily apparent within the dormers on the second story façade but are continued throughout the second story and within the bay window located on the southeasterly elevation of the addition. Of particular interest is a single two-over-two pane double-hung sash window located on the southeasterly elevation of the original structure. Porches located at the main entry of the façade and on the northwesterly elevation of the original structure, feature flat hipped roofs and wrought iron railing and supports. Concrete stoops are also located along the northwesterly and southeasterly elevations of the building additions. Exterior chimney stacks are located on the northwesterly elevation of the original structure and the southeasterly elevation of the addition. A wrought iron gate provides entrance to a paved driveway area from "L" Street on the southerly side of the home. The driveway and yard are segregated from the public right-of-way by a clinker brick wall with incorporated planter that extends to the southernmost portion of the property adjacent to the public right-of-way. The character of the clinker brick wall and planter is continued as a veneer along the approximately bottom one-quarter of the building façade. A front gabled detached ancillary building constructed of concrete blocks sits at the southeast corner of the property.



Looking South From Adjacent Property



Looking Southwest From Alley

BUILDING, STRUCTURE, AND OBJECT RECORD

*NRHP Status Code: 5B

*Resource Name: William Collins Home, 1752 "L" Street

B3. Original Use: Single Family Residence

B4. Present Use: Commercial Office

*B5. Architectural Style: Vernacular with Arts & Crafts Influences

*B6. Construction History: The earliest building permit records for the property date to 1911 and 1912 for repairs in the amounts of \$125.00 and \$50.00 respectively. Permits were issued for alterations in the amount of \$2000.00 in 1922 although the scope of the alterations is unknown. In 1950 permits were again issued for repairs in the amount of \$3,000.00, this time due to fire damages. Permits for a new foundation and building front remodel were issued in 1955.

*B7. Moved? No

*B8. Related Features: The extant ancillary building located at the easternmost corner of the subject property appears to be located in the same proximity as a stable shown on the Sanborn Insurance Maps dating from 1906. Although the stable is shown as having been converted to an accessory shed building by 1918 the existing accessory building is of masonry block construction with a gabled corrugated metal roof and does not convey an age as early as that suggested by the insurance maps. No evidence exists without survey whether the existing building is in fact located within the same position of the original accessory building, or is even located on the subject property at all. It should also be noted that a wood outbuilding on the property was demolished within the last year. This demolished building may have been the original stable/shed.

B9a. Architect: Unknown

B9b. Builder: W.L. Collins

*B10. Significance: Theme: Early Residential Architecture Area: Fresno City Blocks/Central Addition
Period of Significance: c1900-1918 Property Type: Vernacular with Arts & Crafts Influences

This property comprises a parcel which spans the literal boundary between the original Fresno City Blocks plat and the Central Addition subdivision and was incorporated as of October 27, 1885. The subject property is currently located within the boundaries of the City Council adopted Fulton-Lowell Specific Plan and furthermore is also included within the boundaries of the proposed "L" Street Historic District as recommended by the Ratkovich Plan Survey of 1994.

The builder/contractor and original owner was William L. Collins who moved to this location in ca. 1900 from his previous residence located further south on "L" Street. The 1898 Sanborn Insurance Map shows that a small dwelling and stable were located on the subject property prior to construction of the existing residence. The existing residence has undergone a number of additions and alterations. (see continuation sheet)

*B12. References: Sanborn Insurance Maps, 1898, 1906, 1918, 1919-1950; Building Permits on file in the City of Fresno Planning & Development Department; Building Records on file with the Fresno County Assessor's Office; Polk Husted Directories 1898-1915; Ratkovich Plan Survey (John Powell) 1994; Virginia and Lee McAllester, A Field Guide to American Houses, 1994.

*B14. Evaluator: Will Tackett, Planner II

*Date of Evaluation: March 20, 2006

(This space reserved for official comments.)



*Recorded by: Will Tackett

*Date: March 20, 2006 Continuation Update

Repairs were made to the dwelling in 1911 and again in 1912. The large rear and second story additions to the existing residence were made at some point prior to 1918 and further alterations were made in 1922. The dwelling was again repaired in 1950 due to fire damage, the extent of which is unknown. In 1955 the front porch and building front were remodeled and a new foundation provided. Records on file with the City and County of Fresno also suggest that the interior of the dwelling has been remodeled on several occasions, likely due to fluctuating uses of the property. Records indicate that the building has been used for both single family and multiple family (duplex) residential purposes as well as an office for public service and commercial type uses.

Although the home clearly represents an early example of residential architecture within the central Fresno area, the property does not appear to qualify for individual eligibility to the Local Register of Historic Resources. While the building does appear to have retained its integrity, no evidence has been found which suggests association with events that have made a significant contribution to the broad patterns of Fresno's local history. Furthermore, while William L. Collins is known to have been an early settler and merchant within the Fresno area, no evidence has been found which indicates that he played a significant role in Fresno's past. Lastly, although the property does embody distinctive characteristics of type, it does not represent the work of a master nor does it possess high artistic values on an exemplary level which would elevate the property to eligible for listing on the local register. The property does however appear to constitute a resource which is worthy of preservation because of its historical, architectural and aesthetic merit and therefore may be eligible for designation as a heritage property. Moreover, the property may be considered a contributor to the proposed "L" Street Historic District as recommended by the Ratkovich Plan Survey of 1994.

(a) Requests for Recommendation: Recommendation of a designated Local Historic District to the National Register of Historic Places, as a National Register Historic District, may be requested by more than fifty (50) percent of the property owners within such Historic District or the Commission or Council.

(b) Procedural Requirements in advance of Hearing:

(1) The recommendation application and all supporting information shall be reviewed by the Specialist for adequacy and completeness under the requirements of this article and the National Register of Historic Places. A hearing on the recommendation will be scheduled within 45 days of the date that the Specialist determines that the application is adequate and complete or as soon thereafter as is practicable.

(2) Notice of the time, place and purpose of such hearing will be mailed to the owners of all properties included within the designated Local Historic District proposed for recommendation as a National Register Historic District at the addresses shown on the latest assessment roll and published once in a local newspaper of general circulation not less than ten (10) days prior to the date of the hearing. The Secretary may also give such additional notices as he or she deems desirable and practicable.

(3) The Specialist shall prepare a staff report for the Commission addressing the consequences and procedural requirements of listing the Local Historic District on the National Register of Historic Places as a National Register Historic District which shall also be mailed to the owners of all properties within the proposed National Register Historic District with the above described notice of hearing.

(c) Commission Hearing

(1) The Commission shall review all materials prepared and submitted and only members of the Commission who have physically visited and seen the proposed National Register Historic District may vote on the District recommendation.

(2) At the conclusion of the hearing, the Commission shall recommend to the chief elected local official and Council approval, disapproval or modification of the proposal for the National Register Historic District and make findings in support of that recommendation; or the Commission may continue the hearing.

(3) An affirmative roll call vote of a majority of the authorized membership of the Commission is required for a recommendation to the chief elected local official and Council.

(4) Within ten (10) days of the final Commission action, the Secretary shall send a copy of the recommendation, findings and all submitted materials to the chief elected local official and the City Clerk. The City Clerk shall place on the agenda of the Council the Commission's recommendation for Council consideration.

The owners of all properties within the proposed National Register Historic District boundaries shall thereafter be given notice of the time and place of the Council hearing at least ten days prior to the hearing date, together with a copy of the Commission's recommendation, findings and submitted materials to the Council. (Added Ord. 99-50, §§ 1, 2, 9-9-99)

SEC. 12-1612. - HERITAGE PROPERTIES.

- (a) Requests for Designation: Designation of a Heritage Property may only be initiated by the property owner or an authorized representative of the owner. The application for Heritage Property designation consideration shall be filed with the Specialist, using a form approved by the Secretary and shall include the following information:
- (1) The Assessor's parcel number for the property containing the building, structure, object or site proposed for designation along with the name and address of the current owner(s) of record;
 - (2) Whether the proposed resource takes the form of a building, structure, object or site as same, are defined in this article;
 - (3) A detailed description of the specific building, structure, object or site proposed for designation including its dates of construction and significant alterations and its architectural style;
 - (4) The manner in which the proposed building, structure, object or site meets the definition of a Heritage Property contained in Section 12-1602(n) of this article;
 - (5) Current photographs of all aspects of the proposed Heritage Property, supplemented by sketches, drawings or other descriptive materials;
 - (6) A description of the physical condition and appearance of the proposed Heritage Property;
 - (7) The applicant's objectives in seeking Heritage Property designation; and
 - (8) Any other information determined necessary by the Specialist to be required for a complete and adequate application.
- (b) Procedural requirements in advance of hearing:
- (1) The application and supporting information shall be reviewed by the Specialist for adequacy and completeness under the requirements of this section. A hearing on the application will be scheduled within 45 days of the date the Specialist determines that the application is adequate and complete or as soon thereafter as is practicable.
 - (2) At least 10 days prior to the date set therefore, notice of the time, place and purpose of such hearing will be mailed to the owner of the property proposed for designation at the address shown on the latest assessment roll. The Secretary may also give such additional notices as he or she deems desirable and practicable.
 - (3) The Specialist shall prepare a staff report for the Commission which shall also be mailed to the owner of the property with the above-described notice of the hearing.
- (c) Commission Hearing:
- (1) The Commission shall review all materials prepared and submitted and only members of the Commission who have physically visited and seen the proposed property may vote on the Heritage Property designation recommendation.
 - (2) At the conclusion of the hearing, the Commission shall approve, disapprove or modify the proposal for Heritage Property designation by an affirmative roll call vote of a majority of the Commissioners present.
 - (3) Unless the Commission decision is set for hearing to the Council in accordance with subsection (d), the decision of the Commission shall be final and effective at 12:01 a.m. on the sixteenth day after the date of the decision, subject to writ proceedings pursuant to the Code of Civil Procedure. Failure by the property owner, or authorized representative of the property owner to petition Councilmembers or the Mayor for said appeal will constitute a failure to exhaust administrative remedies.
- (d) Council Review following Commission Decision.
- (1)

Within fifteen (15) days of the decision of the Commission, either a Councilmember or the Mayor may, on his or her own initiative, or upon receiving a petition from the property owner or authorized representative of the property owner, file a letter with the Secretary to set a hearing in front of Council to consider the Commission's decision. When a letter from a Councilmember or Mayor is timely filed with the Secretary, the decision of the Commission shall be set aside. A public hearing on the matter shall be set before the Council so that it occurs within thirty (30) days of the date the letter is filed with the Secretary. The same noticing procedures set forth in subsections (b)(2) and (3) that set forth the noticing procedures for the Commission's consideration of the Heritage Property designation shall be followed, except that the staff report referenced in subsection (b)(3) shall be prepared for the Council. If prior to the Council's consideration of the Commission's decision, the Councilmember or Mayor withdraws his or her letter requesting the matter be heard by the Council, the decision of the Commission shall be reinstated immediately.

- (2) The Council shall approve, disapprove or modify the proposal for Heritage Property designation by an affirmative vote of a majority of the Councilmembers present.
- (3) The Council decision shall be final and effective and subject to writ proceedings immediately upon Council action. Within 10 days of the Council decision, the Secretary shall mail a courtesy notice to the property owner setting forth the Council's decision. Any statute of limitations begins to run as of the date of the Council decision, not as of the date of the mailing of the courtesy notice to the property owner.
- (e) The designation of a resource as a Heritage Property, in and of itself, does not create any presumption the resource qualifies as a "historic resource" pursuant to the California Environmental Quality Act or its implementing CEQA Guidelines.
- (f) The owner or their authorized representative may amend or rescind the designation of a Heritage Property in the same manner and procedure as was followed in the original designation.
- (g) Notwithstanding subsection (f), a Councilmember may request that Council consider rescinding the designation of a Heritage Property by filing a letter with the Secretary to set a hearing before Council to consider the Councilmember's request. A public hearing on the matter shall be set before the Council so that it occurs within thirty (30) days of the date the letter is filed with the Secretary. The same noticing procedures set forth in subsections (b)(2) and (3) that set forth the noticing procedures for the Commission's consideration of the Heritage Property designation shall be followed, except that the staff report referenced in subsection (b)(3) shall be prepared for the Council. The Council shall rescind the designation of a Heritage Property only if it finds that the resource does not satisfy the requirements for a Heritage Property as set forth in section 12-1603(n) or that circumstances exist to make the Heritage Property designation no longer applicable. The Council decision shall be final and effective and subject to writ proceedings immediately upon Council action. Within 10 days of the Council decision, the Secretary shall mail a courtesy notice to the property owner setting forth the Council's decision. Any statute of limitations begins to run as of the date of the Council decision, not as of the date of the mailing of the courtesy notice to the property owner.

(Am. Ord. 82-137, § 3, eff. 1-21-83; Am. Ord. 87-80, § 1, eff. 7-24-87; Am. Ord. 91-125, §§ 55—61, eff. 12-20-91; Am. Ord. 2001-11, § 1, eff. 3-18-01; Am. Ord. 2008-59, § 2, eff. 11-10-08; Am. Ord. 2012-6, § 1, eff. 3-23-12).

SEC. 12-1613. - ADOPTION BY COUNCIL.

- (a)