

City of Fresno

*City Hall
2600 Fresno Street
Fresno, CA 93721*



Meeting Minutes - Draft

Monday, March 22, 2021

6:00 PM

Regular Meeting

ZOOM URL to join.

<https://zoom.us/j/99046775082>

Historic Preservation Commission

Chair Patrick Boyd

Vice Chair Jason Hatwig, LEED, AP, BD+C

Commissioners:

***Robin Goldbeck, Christopher Rocha; Paul Halajian, AIA; Don
Simmons; C. Kristina Roper, M.A.;***

Staff:

***Mike Sanchez, AICP, MCRP, Assistant Director; Rina Gonzales, Senior
Deputy City Attorney***

I. CALL TO ORDER AND ROLL CALL

Present 5 - Chair Patrick Boyd, Commissioner Paul Halajian, Commissioner C. Kristina Roper, Commissioner Don Simmons, and Commissioner Robin Goldbeck

Absent 2 - Vice Chair Jason Hatwig, and Commissioner Christopher Rocha

At 6:04PM the meeting was called to Order by Chair Patrick Boyd. Present on behalf of the Commission were: Paul Halajian, Kristina Roper, Don Simmons and Robin Goldbeck. Assistant Director of Planning and Development, Mike Sanchez, Senior Deputy City Attorney Rina Gonzales and Historic Preservation Specialist, Alicia Gonzales.

II. APPROVE MEETING MINUTES

A. [ID 21-364](#) February 22, 2021

On motion of Commissioner Roper, seconded by Commissioner Goldbeck, that the minutes for February 22,2021 be approved. The motion carried by the following vote:

Aye: 5 - Chair Boyd, Commissioner Halajian, Commissioner Roper, Commissioner Simmons and Commissioner Goldbeck

Absent: 2 - Vice Chair Hatwig and Commissioner Rocha

III. APPROVE AGENDA

On motion of Commissioner Simmons, seconded by Commissioner Halajian, the meeting agenda was approved. The motion carried by the following vote:

Aye: 5 - Chair Boyd, Commissioner Halajian, Commissioner Roper, Commissioner Simmons and Commissioner Goldbeck

Absent: 2 - Vice Chair Hatwig and Commissioner Rocha

IV. CONSENT CALENDAR

None

V. CONTINUED MATTERS

- A. [ID 21-261](#) Staff Update: Regarding the Fresno Water Tower (HP#1) located at 2444 Fresno Street, Fresno, CA 93721 and anticipated application for new gate installation

Assistant Director, Mike Sanchez, reported to the Commission that City staff has received draft drawings from FAX and it is under review to ensure the Commissions recommendations and amendments are included. This item will be placed back on the agenda at the regularly scheduled meeting of April 26, 2021 to provide the Commission with a status update.

- B. [ID 21-264](#) Staff Update: Status of request to City Council that Old Armenian Town be recognized and designated as a Historical District

James Sponsler commented, member of the County Historic Landmark and Records Commission, they have been tracking the Armenia Town project as well. They have been in contact with Mr. Tom Richards of Pen Star Group the developer whose looking to update plans which were initially reviewed in 2008 and then 2011. Mr. Richards is hoping to remove and relocate the tiny homes and the Vartanian Home (rescue mission), however they are City owned.

Assistant Director, Mike Sanchez, informed the Commission that the initial recommendations that were provided to the former Mayor and City Administration are still under review and waiting on a response regarding next steps. Planning staff had a meeting to discuss this item. Staff identified that the EIR may be outdated; 2010, which may require an update and would delay any action in the future to account for more recent CEQA legislation. An update will be provided to the Commission once received.

Chair Patrick Boyd inquired, when this application was initially proposed was it in compliance with the EIR at that time?

Assistant Director Mike Sanchez responded, that he believed at the initial application process included an EIR that was within compliance standards. However, at this time it may require an entire new EIR or a supplemental EIR approach. Consultation with the City Attorney's Office would be necessary if the EIR was found out of compliance. If council wished to hear the matter and take action on the item as it stands presently, there would be risk to challenge the environmental document.

Commissioner Don Simmons inquired, could there be clarification on the statues about the EIR because at the time the project was proposed the EIR was approved and came through the HPC. What is the precedent set for a requirement of the new or refreshed EIR? What would preclude having another EIR? Does the HPC need to take action? What's the legal obligation to the Council to an item that was presented to them and that never made it to a consent agenda and they never made a response back to the commission? Doesn't the Commission have some responsibility to see that there is follow through by the Council? Legally what can the Council do here? It seems like a violation of the Commissions responsibility if the Council does not take responsibility?

Senior Deputy Attorney Rina Gonzales responded with a preface that this item predates her position with the CAO, there is need for the CAO and Staff to investigate the details of this item. The EIR is in reference to Armenian Town Project not the designation. The Commissions responsibility is to review designations, CAO would need to review and prepare a tray memo explaining the process, past requirements, explanation of steps that did take place and that would need to be refreshed or renewed.

Commissioner Don Simmons inquired; has a situation happened like this before, where no action was taken on an item and documentation expired; i.e. EIR ?

Senior Deputy Attorney Rina Gonzales responded, that she was aware of projects outside of historic which have expired and CAO advises on a project-by-project basis if the documents need to be updated. She would like to prepare a tray memo outlining the requirements for designation, what has occurred in the past and what would need to be done to finalize. It would provide a written response from the CAO and an education tool on the FMC.

Commissioner Don Simmons responded, he disagreed with that process because it is already the responsibility of the commissioners to understand what is included and required within the FMC. He believes it will delay the matter even further and would prefer actions in term of what is the Councils responsibility once an item is sent to them and how long can they sit on an item before it expires. If CEQA is the issue, he notes that CEQA outlines when a project is viable with the information at the time when the project is initially presented and would like CAO to look into what CEQA says. Additionally, he notes that the City is opening itself up to legal issues if it is continuously delayed.

Commissioner Don Simmons responded, he disagreed with that process because it is already the responsibility of the commissioners to understand what is included and required within the FMC. He believes it will delay the matter even further and would prefer actions in term of what is the Councils responsibility once an item is sent to them and how long can they sit on an item before it expires. If CEQA is the issue, he notes that CEQA outlines when a project is viable with the information at the time when the project is initially presented and would like CAO to look into what CEQA says. Additionally, he notes that the City is opening itself up to legal issues if it is continuously delayed.

Senior Deputy Attorney Rina Gonzales responded, would a tray memo that provides an explanation of what happens after it goes to HPC? The FMC lays out the requirements for designation.

Commissioner Don Simmons responded, the HPC has done everything according to the process, it was sent to Council. Additionally, where does the designation stand according to the Secretary of Interior standards?

Senior Deputy Attorney Rina Gonzales responded, staff would need to look into that and provide an update.

Assistant Director, Mike Sanchez responded, staff with consultation of the CAO will provide the factual information of what is different now from the initial application.

Commissioner Paul Halajian inquired, what is the status of the developer? Is there still an agreement with a developer in Armenian Town?

Assistant Director, Mike Sanchez responded, that there was an agreement with the successor agency the RDA, but it is unclear if there was an expiration date with the initial plans which were incomplete. This update could be apart of the tray memo.

VI. COMMISSION ITEMS

- A. [ID 21-367](#) Staff Update: Regarding the Liberty Theater (HP#171) located at 944 Van Ness Ave., Fresno, Ca 93721 and anticipated application for demolition permit (exterior)

Historic Preservation Specialist Alicia Gonzales, informed that a permit for internal demolition was issued without consultation or approval from Historic Preservation. To date one site visit was conducted by staff and a City engineer after the permit had been issued. The site visit documented the progress of the project and gathered information taken from the contractor prior to their demolition. Tentatively, the applicant plans to apply for additional permits for the exterior of the building and were informed this would necessitate a HPC review.

Assistant Director, Mike Sanchez, informed that the internal demolition is to expose the structural components of the building and that staff has informed and will be monitoring progress to ensure if features of historic value are exposed that they will be preserved.

Chair Patrick Boyd, responded it seems backward?

Commissioner Paul Halajian, responded what do they plan on doing with the property?

Assistant Director, Mike Sanchez, we don't have an idea yet but the contractors have informed staff that they have worked with historic properties in the past and want to preserve what is there. The permit was issued without consultation and staff is monitoring it closely to ensure that the permit they were issued is being adhered to, which is interior only. The contractor or developer can do a presentation to explain their current project as well as future applications next meeting.

Chair Patrick Boyd, responded without knowing an overall plan it is difficult to make decisions.

Assistant Director, Mike Sanchez responded Historic Preservation Specialist Alicia Gonzales will go out to the site and document the progress and if she views the work is outside the limits of the permit then the City can issue a stop work permit if necessary.

Chair Patrick Boyd, responded the purview of the HPC is usually on the exterior, what the public can see and what the structure provides to the public, not to say there's no value internally but if there are conditions and renovations structural it could affect the external.

Commissioner Paul Halajian, inquired is it not the case that part of what's existing internally within the Theater; a lobby, could have been part of an external feature?

Historic Preservation Specialist Alicia Gonzales, informed that the first floor audience seating area and stage had been demoed. The lobby, second floor and third floor were being initiated. The lobby did uncover some interesting painted features underneath the first layer of wall covering and were informed not to go through those features until they were reviewed. Contractors will be sending over initial photos from demolition.

Chair Patrick Boyd, inquired should there be some lines not to cross since this project has been started?

Assistant Director, Mike Sanchez responded, yes and that demolition should be minimal. The Commission does focus on the facade, the demolition permit that was issued was for interior only and it is possible the permit was issued without Historic Preservation consultation because it was interior only. However, all properties that are on the register are now automatically flagged in our system and that element was not in the system prior. The contractors can do a presentation at our next meeting.

Chair Patrick Boyd, responded, that with a Historic theater the entrance and lobby often are apart of the character of the exterior and street-scape.

Commissioner Don Simmons, inquired, is there a number of permits that came through planning that were not flagged as historic so it may have actually penalized the property owner by using building standards only and not historic standards?

Assistant Director, Mike Sanchez responded, we will have to query the system.

James Sponsler commented, that going through the FAASTER system they are not flagged at all, an example would be 315 N Calaveras, the street facing arched windows were removed and dual paned windows with stucco were put in.

Chair Patrick Boyd, inquired, if we have a system to catch these things and a permit is issued for a property that is not flagged, what recourse do we have ?

Assistant Director, Mike Sanchez, responded the city would investigate right away and put a stop work order on it and salvage what may have been lost.

Historic Preservation Specialist, Alicia Gonzales, responded, in reference to the Calaveras property action is currently being taken to have the historic windows restored to the property.

VII. CHAIRPERSON'S REPORT

None

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

None

B. Staff

None

C. General Public

Stuart Chandler commented, the Chandler family prepared a video to bolster information. Would the Commission like the family to also provide something in a written format?

Assistant Director, Mike Sanchez, responded that if the HPC could get something in writing it would only help with providing additional information.

Stuart Chandler commented, yes he could provide something. Referencing previous inquiry to Assembly person Chandlers vote he felt he could not provide any further documentation.

Commissioner Don Simmons, responded he would be interested in Assembly person Chandlers rationale? Was his vote in 1911 apart of a belief or something, in light of his other civic engagement it stands out as being contrary to some of his actions and beliefs. If there are any records or family documentation that explains the decision or votes. There are reissued monuments in South Carolina, along with monument there are explanations with "... this person voted or did something this way, but we view it now, or know it now..." because if we are telling the whole story we need to include the whole story and know the history.

Stuart Chandler responded, the family has looked but has not been able to find anything. Clarifying, in reality the 1911 No vote was No to putting it on the general ballot with a specific proposition with some obvious racial restrictions, so currently there is no insight. At that time he also voted for all school children to be vaccinated, which at the time was fairly progressive but was in the minority. In 1912 he may have ran on the Progressive platform.

IX. NEXT MEETING

April 26, 2021

X. ADJOURNMENT

There being no further business to bring before the Commission the meeting adjourned at 6:57PM.