

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, RESCINDING THE DESIGNATION OF THE NESTEL HOME (HP#152) LOCATED AT 1527 L STREET FROM THE LOCAL REGISTER OF HISTORIC RESOURCES DUE TO A LOSS OF INTEGRITY

WHEREAS, the Nestel Home located at 1527 L Street was built prior to 1898 in a Queen Anne style;

WHEREAS, on May 6, 1980, pursuant to the City's Historic Preservation Ordinance in effect at the time, the Nestel Home was placed on Fresno's Local Register of Historic Resources by the Fresno City Council, through City Council Resolution 80-295, as "particularly representative of a distinct historical period, type and style" and as "the best remaining architectural type of the neighborhood";

WHEREAS, on September 20, 2014 the Nestel Home suffered a devastating fire which resulted in a 100% loss including all character-defining features which made the residence architecturally significant;

WHEREAS, pursuant to Fresno Municipal Code (FMC) Section 12-1607(a) for a resource to be designated to Fresno's Local Register of Historic Resources it must possess integrity of location, design, setting, materials, workmanship, feeling and association and be historically significant under one or more criterion;

WHEREAS, due to the September 20, 2104 fire the Nestel Home has lost integrity of design, setting, materials, workmanship, feeling and association, and can no

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

longer convey significance as exemplifying the “best remaining architectural type of the neighborhood”;

WHEREAS, Community Revitalization staff inspected the property and on December 17, 2014 issued a “Notice and Order to Remove Public Nuisance” which included a series of required corrections in order to meet health and safety;

WHEREAS, the request to delist the property from the Local Register of Historic Resources is made by the Secretary to the Commission, Karana Hattersley-Drayton, pursuant to FMC Section 12-1614 after consultation with the property owner, Michael Montgomery and his attorneys;

WHEREAS, the City of Fresno Historic Preservation Commission, at a duly noticed public hearing held on January 26, 2015, heard testimony on the subject property;

WHEREAS, based on that testimony, and the presentation of facts relating to the criteria for official designation, as set forth in the Fresno Municipal Code, Chapter 12, Article 16, made the following findings:

That the Nestel Home no longer is eligible for listing on Fresno’s Local Register of Historic Resources due to a loss of integrity from fire and subsequent water damage and be recommended to the Fresno City Council for delisting as a Local Resource; and whereas in accordance with Fresno Municipal Code, Article 16, Section 12-1601 et seq. this hearing has been duly noticed for Council action upon the recommendation by the Commission; and

WHEREAS, on March 26, 2015, Council held a hearing where it considered the recommendation of the Historic Preservation Commission, and considered substantial evidence, including but not limited to, staff presentation, a report prepared by staff addressing the Nestel Home’s loss of integrity and eligibility to the Local Register

prepared by the City's Historic Preservation Specialist (as defined in FMC Section 12-1604(b)) finding that the property no longer meets the requirements for designation on the Local Register pursuant to FMC Sections 12-1614, 12-1608, and 12-1609.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Council finds that the above recitals are true and correct.
2. Council finds that the Nestel Home is no longer eligible for listing on Fresno's Local Register of Historic Resources based upon the evidence presented to the Council in the staff presentation and staff report.
3. Council rescinds the Nestel Home located at 1527 L Street from the Local Register of Historic Resources by rescinding City Council Resolution 80-295.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2015.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: _____
Mary Raterman-Doidge Date
Deputy City Attorney