



2600 Fresno Street, Third Floor

Historic Preservation Commission Executive Minutes

January 22, 2018

MONDAY

6:00 p.m.

2600 FRESNO STREET
CONFERENCE ROOM A
2nd Floor, City Hall

I. CALL TO ORDER AND ROLL CALL- 6:00 p.m.

The meeting was called to order by Chair Patrick Boyd at 6:03 PM.

Commissioners Present: Patrick Boyd, Paul Halajian, Ron McNary, Kristina Roper, Don Simmons.

Staff Present: Laura van Onna, Dan Zack, John Hastrup (CAO) and Amber Piona.

II. APPROVE MEETING MINUTES

A. Approve Minutes for December 18, 2017.

The meeting minutes were approved 5-0, with a motion by Commissioner Roper and a second by Commissioner McNary.

III. APPROVE AGENDA

The agenda with was approved 5-0 with a motion by Commissioner Roper and a second by Simmons.

IV. CONSENT CALENDAR

No Items on Consent Calendar

V. CONTINUED MATTERS

No Continued Matters

VI. COMMISSION ITEMS

A. REVIEW AND APPROVE MODIFIED DESIGN PROPOSAL FOR THE BELMONT AVENUE OVERCROSSING PURSUANT TO FMC 12-1606(b)(6)

Assistant Director Dan Zack provides an overview of the Belmont Overcrossing and a summary of the work of the HPC Subcommittee (Chair Boyd and Halajian), and HSR Authority Staff. Proposal modifications include: Parapet pilasters, retaining walls with textured concrete panels to more closely match undercrossing, the girder design has vertical members added, lighting standard now has art deco cobra heads, 8 point fluted pole, spear finial, and nut covers, the interpretive display moved to east side of the overcrossing on north face, the Olive Avenue overcrossing will match overcrossings to the north, and the City of Fresno Public Works Department will provide Belmont Avenue Connector Road landscaping. Subcommittee and staff recommend that full commission approves the modified design proposal.

Commissioner Ron McNary: I would like to thank the subcommittee for their work. The whole HPC would not have been able to put in enough time to do this work.

Chair Patrick Boyd: A few questions. What is the ultimate design of the fence?

Representative from TPZP (HSR Build Team): The subject is up for debate within the High Speed Rail organization. Right now, opaque fence, black vinyl. It can be modified as necessary to meet your needs. Still discussing across the corridor. It's a safety issue.

Commissioner Paul Halajian: Is it black vinyl slats in a chain link?

Representative: It's $\frac{3}{4}$ inch or $\frac{1}{2}$ inch by $\frac{1}{2}$ inch squares. It's not the larger chain link that you see. It's actually not bad looking, my own personal opinion. It's much tighter, and is non-climb and tight enough that kids can't push little rocks through the slats.

Boyd: If that discussion comes up and there are options for design, like changing the posts or arch them, which can be fairly simple, still keeping the mesh, it would be great to let us know.

Representative: Representatives from the City of Fresno Public Works Department Randall Morrison and Scott Mosier are heavily involved in these discussions. There was a discussion as recently as last Friday. I would suggest you engage them.

Assistant Director Zack: I'll reach out to Public Works tomorrow.

Boyd: Happy to make a recommendation. And then regarding the trees along the street, is that contingent to construction on the property, or is

Public Works going to construct that separately after construction of the overpass is complete?

Zack: I would have to check with them. I think it would go in with the connector; I will check in and report back next month on how that would work.

Boyd: It's wise to be crystal clear how that happens. If Public Works is to take ownership, they will have to install an irrigation system, controller and the trees within a set timeframe after construction. Which is different than contingent on the sale of the property, which when the property is developed. These are two separate things. HSR have any additional comments?

Robert Ramirez (HSR Authority): No additional comments.

No Public Comments

The modified design proposal for the Belmont Avenue Overcrossing was approved 5-0 on a motion by Commissioner McNary and a second by Commissioner Roper.

**B.RE-SURVEY OF POTENTIAL L STREET HISTORIC DISTRICT
PURSUANT TO FMC 12-1606**

Dan Zack gives overview of the project. Granville owns 2245 San Joaquin, want to demolish it and put in a four-plex. Granville came before the commission in November to discuss their project. They have formally submitted for demo permit. This property has been previously surveyed in 1977, the Ratkovich Study in 1994 and in 2007. The context has changed around the area; some homes have been lost to fires. In order to accurately assess whether there is a potential resource here, we need a new survey. The property not found to be individually eligible to the Local Register, it's potential eligibility was solely as a contributor to this potential district. Whether that district still exists, or still would have the same boundaries, or whether this property would even be considered a potential contributor to that district, it's too hard to tell with current information. We're asking HPC to initiate a survey which would be conducted in-house by our new Historic Preservation Specialist Laura van Onna. After we have the right information we would come back to you.

Commissioner Don Simmons: To be clear, this item is not about the San Joaquin house, but about the district.

Zack: Correct.

Halajian: What are the general boundaries of this survey?

Zack: We included the three maps of the earlier surveys in your packet. The stretch of L Street between Amador and San Joaquin was always at the heart of earlier proposed districts, and sometimes it stretched all the

way down to Stanislaus up to Divisadero, Van Ness to N St., roughly those extents. Each of the three covered a slightly different area.

Simmons: There are individually designated properties in the area that aren't in previous surveys, are the boundaries to be expanded?

Zack: Nothing new has been created.

Historic Preservation Specialist Laura van Onna: It would be useful to survey the ground of all three surveys, so we get a clear idea of everything that is there now, so that there could be no question about what could potentially be a district here.

Halajian: What are the pros and cons of doing the survey?

Van Onna: The pros are that this has been a *potential* district for 40 years. We should make a decision on this district.

Deputy City Attorney John Hastrup: We have an obligation to the permit applicant to determine if there is a historical resource here, from a legal standpoint. If we made an assessment of no historic resource without a survey, it's risky from a litigation standpoint. Doing the survey puts more power and responsibility in the hands of the commission.

Halajian: Is there any indication why it was never carried forward?

Zack: We're not sure. We have a lot of potential districts that haven't been adopted. Why each hasn't moved forward, we don't know. We have four that have gone all the way, with a fifth ready to go. But there are several more that have been identified. Most were before [Laura and I] were involved.

Simmons: This commission a couple of years ago created a list of historic districts in preference order we would like to consider. Could we please review the minutes to see what the priorities the HPC identified? I understand why we're looking at this one now because of the potential of a project to identify for a demolition. But we did say this is the priority list we would like to have. And so we're not just taking the districts each time a project comes up, which doesn't seem to be in keeping with the wishes of this commission. This wasn't our priority project.

Zack: We will research that and find it.

Van Onna: I have identified that as a long term goal of the Historic Preservation Division to move forward with the potential districts.

Simmons: As we look at this again, there is another name is for this area. We should find what the historic name of this district is and not tack L Street onto this for all time. What's the overlay with this area and Cultural Arts District? Does that Cultural Arts District not being a historic district have any bearing on this district? I once heard the neighborhood called South Lowell, but this area predates the elementary school.

Zack: Yes, this is good feedback.

Boyd: What I remember from what Karana said, the creation of these districts takes a significant amount of time. Walking time, door-to-doors, and other things. We need to make sure that we get a commitment from the City to give Laura the resources to actually get the work done. That was always the hinge point; Karana might get things going, but then other higher priority things would come up. If we want to be proactive, this is significant expenditure of times of resources.

Zack: We will find the priority list and bring it back and see if the current commission agrees with it and it will be helpful moving forward.

Public Comment

Claudia Cazares (Granville Homes): Thank you for having us here. I was here in November and I gave an update on 2245 San Joaquin at that time. I do want to thank the commission being proactive and having a list of the districts that can be prioritized for analysis. The development community needs you to be ahead of them. We need to know what we're getting into before we buy a property. We buy it in order to clean it up, in order to make the neighborhood a little bit better, and if we don't know what we're authorized to do with it, we're stuck with the property for many years. Granville bought this property in 2012, and the demo question on this property was discussed back in 2012 back when I was at City Hall. A few questions, I know that the area been reviewed three times, and has not progressed to a district. We'd like to know when our demo permit might come back. We submitted our demo permit in September, and we still don't have a resolution to the demo permit. While I agree we need a process, there needs to be a timeline. Now hearing that we don't have a district map for this area has me more concerned, if the area study is getting wider, it will take longer. We would like to be on February agenda, I know the 19th is President's Day, so could we be put on the February 20th agenda for the demolition permit, and hope that the analysis will be complete at that time?

Hastrup: Our next meeting would be on February 26th, not the 20th.

Public Comment Closed

Boyd: What would the process be; is February realistic?

Zack: We can't predetermine what we would find when we survey the area. We're starting the survey tomorrow and the results of the survey will drive the timeline. A definite district out there will have one kind of timeline, if the district boundaries would no longer include the site, or if there isn't a district here anymore would have a different timeline.

Boyd: To be clear, we're asking you to determine if there would be a district, if so what are the boundaries? On the 26th you'd come back and say, yes there is or no there isn't, but that isn't a completed survey.

Commissioner Kristina Roper: It's an If/No kind of thing. If yes, then we go, if no, then we can consider the original structure.

Halajian: What does this have to do with the individual structure? Whether or not a district can be recognized is one issue. The other issues is the condition of the house, the structure is structurally unsound, all of the character defining features stripped. If those issues are true, could they move ahead with a demolition permit and the analysis of district proceed.

Zack: The structure is in poor condition, but has not been determined to be unsafe to the public. That would be a whole different track.

Hastrup: A potential danger to the public example would be Craycroft carriage house. Potential dangers to the public would be demolished by ministerial act. The property's potential historic status derives solely from its being a contributor to a potential historic district.

Roper: Seems like a lot of ifs there.

Hastrup: Yes, this why getting out in front of these potential districts is a good idea. Because if the status of this district already had been determined then there would be no question here.

Cazares: The building has lost a lot of its elements. The windows replaced, siding replaced, it bends in the middle, and the roof isn't original.

Roper: Sounds like historic integrity issues.

Zack: There are elements that are still there, the spindle porch columns are still there. It's not a clear cut case and definitely warrants a look.

Hastrup: At the November meeting a member of the public expressed concern about this building.

Halajian: I am not in favor of demolishing, but this has taken a long time. Do we have to do the whole district to determine integrity on this one house?

Zack: The trick is that we already know that this property is not individually eligible, only as a potential contributor to a district. So when looking at authorizing the demolition permit, we have to determine whether or not the property is a historic resource. We have to go through the process, it's not historic on its own, but it could be as part of a district. In previous cases, like the little house on Clark, it was potentially eligible individually, so we could look at individually, In this case, it's only potentially eligible as a contributor. It's an odd case in that way.

Roper: So it was in these three reports it was identified as a potential contributor without saying what it was contributing to?

Zack: In 77 they said it was not eligible, the next two surveys did.

Roper: We didn't do contributors much back then.

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Van Onna: In 1994 it was locally eligible, and in 2007 potentially contributor. Things have changed since then.

Simmons: I can't comment on the individual project, I live near this property. It is the oldest house in the district. The longer the house is there in the shape it's in, the more the neighbors would like something done. I hope some decision can be made soon about that.

Zack: Today we're not acting on a project, or even on the survey, just to initiate it.

Halajian: Can we individually take a look at it and make an evaluation?

Hastrup: The manner in which we have been determining these districts is to do surveys.

Halajian: Can we remove it from the district issue and just treat it on its own merit?

Hastrup: Our concern is that its merit derives from the district. The question is can you make an evaluation saying that the property could not possibly contribute to any district. I haven't researched this, but my belief is that we don't we have an alternative to the process we've laid out, legally.

Roper: What is the threshold for determining a district? What are the things it's contributing to?

Zack: The last time an extensive look was made in this area, there was a boundary that was identified, and a list of contributors that was identified and that is the latest information we have to go on. If we were to just go off of that, we would have to treat this as a historic resource and CEQA and look at potential mitigation measures. But it might not come to that, because of all the changes.

Hastrup: Logic and CEQA don't mix. If you've done something a certain way, and someone were to say I don't like that, then your best defense is that this is the process that you always do.

Cazares: We don't object to the survey, if you can do it by February.

Boyd: A completed survey could not be done next month, but a determination as to whether or not a historic district still exists here and if so what a boundary would be could be done.

Van Onna: Yes, in a month we can figure out if there is a potential district there. Just going through neighborhood looking at properties already identified would be able to answer this question. The first two surveys had boundaries that included multiple uses and multiple architectural styles. The most recent survey just considered the L Street Residential Historic District, and it was noted for including a multitude of architectural styles and also its association with and reflection of 19th and early 20th century residential development patterns. Coming in 10 years later that is what I will be looking

at.

Halajian: For what it's worth a number of buildings will no longer be there and a whole lot has changed.

Zack: We've observed the same things that you [Halajian] have which is why we can't work with the 2007 survey.

Simmons: There are a number of designated properties that are within the boundary of this district that are listed as part of the district but not represented on the map.

Van Onna: Let me know which ones you noted.

Cazares: Will the demo permit be voted on in February?

Hastrup: If there's a district, then that raises the issues of is this property contributing to the district, that's the more complicated scenario that HPC would have to make a determination. If there's no district, then HPC has no further jurisdiction on this property.

Hajalian: This is the CEQA logic you were mentioning.

Hastrup: CEQA doesn't have a rule regarding historic surveys; the more general proposition is that this is how we have dealt with projects in the past under CEQA, by doing a survey. What it does is make the process murkier when we have potential historic districts still sitting out there.

Boyd: So basically we have to go through the process, in order to clear it up.

Hastrup: Yes. I understand the logic behind evaluating whether or not this individual property could be contributing to a district without the district survey; however we do not have a blueprint of doing this in the past. And there is concern about creating an ad hoc process.

Jeff Roberts (Granville Homes): I was in here in November. We obviously would like to have a decision about the demo permit we have filed and paid for back in September. The question of a district here is interesting, but there have been three separate occasions where this body or previous versions thereof considered this district and nothing moved forward. Really, there is no district to be a contributor yet. When we did the L Street project a few years ago, it was clear this wasn't a district. I would urge this body to move forward on determining whether this property is a potential contributor, and if it's not let's move forward.

Halajian: Where is your [Jeff Roberts] property?

Roberts: It's a small triangular property just south of Divisadero on San Joaquin. I would like to say that we're anxious to move forward, we filed in September. A question for legal counsel, isn't a demo permit on a single family home exempt under CEQA?

Hastrup: Yes, unless there is a potential for a historic resource.

Boyd: Before us today is whether we want to commission staff to do a survey.

The L Street Survey initiation was approved 5-0 on a motion by Commissioner Roper and a second by Commissioner McNary.

VII. CHAIRPERSON'S REPORT

None

VIII. UNSCHEDULED ITEMS

A. Members of the Commission

1. Armenian Town Historic District

Boyd: What is the status on the Armenian Town Historic District?

Zack: Now that we are staffed up. We're going to have a talk about that, and see if we can bring it forward to the council, we will update you next month.

B. Staff

1. Mills Act

Zack: Mills Act Contracts have all been executed, notarized and went in on time to be recorded at the County. Laura has a lot of Mills Act experience. We're going to ramp up the program, have a website, brochures and actively promote it.

McNary: Are you sure commissioners can't contribute?

Simmons: Other places do this, the commissioner whose property is the subject of a Mills Act Contract recuses themselves for the vote. I can provide you examples.

Hastrup: I'll look into it, however because of your approval power, the ethics rules are a lot more strict. The Public Generally Exception may apply. I can get you an answer fairly quickly.

Simmons: I got my information through SHPO.

Hastrup: Please send me your information. And I will get you a definitive answer.

Boyd: Following that same guidelines, if someone is participating in the Mills Act, are they then ineligible to be an HPC Commission?

Hastrup: Almost certainly not. Although it does drive home the point that if that were the case we could have a very significant portion of the engaged community not able to

Simmons: Could we get a copy of that opinion?

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Hastrup: Probably. Did the Commission ask for it?

Boyd: No, it came up during the Mills Act discussion last year, Seth [Mehrten] looked into it.

Hastrup: Okay, I will get back to you.

C. General Public

No Public Comment.

IX. NEXT MEETING: February 26, 2018, 6 PM Conference Room A, City Hall.

X. ADJOURNMENT

Chair Boyd adjourned the meeting at 7:15 PM.

Respectfully submitted:

*Laura van Onna, Historic Preservation
Specialist*

Amber Piona, Recording Secretary