



Historic Preservation Commission

Staff Report

July 3, 2024

FILE NO:	MAJCOA-000711-2024 A request for a Certificate of Appropriateness (File No. MAJCOA-000711-2024) to retroactively approve the replacement of historic wood windows with vinyl windows
ADDRESS:	561 East McKinley Avenue
APPLICANT:	3 Bros Real Estate, LLC
PROJECT PLANNER:	Geoffrey Starns, AICP, AIA, LEED AP, Planning Manager – Urban Design Division
ENVIRONMENTAL REVIEW:	This project is exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15270 of the California CEQA Guidelines.
RECOMMENDATION:	Deny File No(s). MAJCOA-000711-2024 and adopt Resolution No. 24-018.

IMPORTANT DATES:

Date Submitted:	May 8, 2024
Date Determined Complete:	June 20, 2024
Deadline to make a Decision:	September 3, 2024 (August 7, 2024 meeting)

CRITICAL ISSUES:

- Window Material
- Restoration of original look

PROPERTY ARCHITECTURE AND BACKGROUND:

The property at 561 East McKinley Avenue is a Contributing Structure to the Lincoln Park Historic District. It was originally surveyed as part of the 1993 Citywide Survey (Attachment 3). It was identified as a

Spanish Colonial Revival built in 1925. It identified the porch cover as an addition in 1964 and it stated that it was in good condition. It was also mentioned that there were moderate alterations or additions. It was also surveyed as part of the Lincoln Park Historic District designation in 1998 (Attachment 4). It states that the home is a Spanish Eclectic and mentions the fireplace and flat parapet roof. A Spanish home of this period would typically have wood frame windows.

On March 20, 2024 the applicant submitted a Minor Certificate of Appropriateness to approve the replacement of wood frame windows with Vinyl windows and to replace the front door. Before staff could act on the application, the applicant proceeded with the removal of the windows without permits. On March 26, 2024, Code Enforcement received reports on wood frame windows being replaced with vinyl windows. On April 4, 2024, staff denied the Minor Certificate of Appropriateness. The appeal period ended on April 25, 2024, and denial was not appealed. On May 8, 2024, the applicant asked to appeal the decision. Staff informed him that his only option was to apply for a Major Certificate of Appropriateness, which he did.

DISCUSSION OF CRITICAL ISSUES

1. Window Material. The Historic Preservation Guidelines state that vinyl windows are prohibited. The Commission has been clear with their dislike of vinyl windows and have repeatedly denied vinyl windows as an appropriate replacement for historic windows. Staff and the Commission have been consistently opposed to vinyl windows as a substitute material for historic windows. In addition, vinyl is not discussed as an appropriate substitute material in the National Park Service's Preservation Brief #16. Staff continues to agree with the Commission's position that vinyl windows are not appropriate to replace historic windows. The applicant, without approval or permits, proceeded to remove the historic windows while the Minor COA was in review and regardless of staff's review of the project. Staff's recommendation is that the replacement of historic wood frame windows is not appropriate, does not meet our guidelines, or the Secretary of the Interior's Standards, should be denied, and the applicant be required to restore the appearance and material by installing wood windows.
2. Typically, when we do not have good quality photos of the original windows, staff is left to estimate the types of windows based on the architecture of the building. In this case, it appears that the house next door is a mirror image of the project house. It appears to have all of its original windows and therefore, staff would recommend that the windows match the style of the house next door.

DESIGN REVIEW:

The Historic Preservation Ordinance provides that the Commission is guided by the following areas in addition to the Secretary of the Interior's Standards for Rehabilitation. Staff has reviewed the project as it relates to these standards as well as any applicable design guidelines. Staff's analysis is below:

1. Height. *The height of any proposed construction shall be compatible with the height and bulk of surrounding structures and in conformance with the maximum allowable height for the applicable zoning district.*

No change is proposed so this standard does not apply.

2. Proportions of Windows and Doors. *The proportions and relationships between doors and windows shall be compatible with the architectural style and character of the surrounding structures, and be of an appropriate material.*

The proposed windows are not an appropriate material. The City has been consistent that vinyl windows are not appropriate as a substitute material for historic windows. In addition, vinyl is not discussed as an appropriate substitute material in the National Park Service's Preservation Brief #16. Therefore, the proposed project does not meet this standard.

3. Relationship of Building Masses and Spaces. *The resulting relationships between proposed structures and created spaces, or between remodeled structures and created spaces, shall be consistent with the shapes and setbacks of existing adjacent structures.*

No change is proposed so this standard does not apply.

4. Roof Shape. *The designs of the roof shall be compatible with the architectural character and style of the surrounding structures. Gables, turrets, and other roof forms shall be incorporated when appropriate to accomplish design compatibility with adjacent structures.*

No change is proposed so this standard does not apply.

5. Scale. *The scale of the structure shall be compatible with the architectural character and style of the existing buildings. The new building shall blend in with surrounding buildings through the sensitive use of proper scale and materials.*

No change is proposed so this standard does not apply.

6. Directional Expression/Facades. *Facades in an historic district shall blend in with other structures with regard to directional expression. Structures in an historic district shall be compatible with the dominant horizontal and vertical expression of surrounding structures.*

No change is proposed so this standard does not apply.

7. Architectural Details. *Architectural details, including materials and textures shall be treated so as to make any new construction compatible with the architectural style and character of the historic district.*

The proposed windows are not an appropriate material and therefore, not compatible with the architectural style and character of the existing house. In addition, vinyl is not discussed as an appropriate substitute material in the National Park Service's Preservation Brief #16. Therefore, the proposed project does not meet this standard.

8. Architectural Rhythm and Articulation. *All proposed structures or facade remodeling shall show sufficient and rhythmic repetition of architectural details so as to be compatible with the facade articulation of existing adjacent buildings.*

No change is proposed so this standard does not apply.

9. New Additions/Construction. *New additions and adjacent related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

No addition is proposed so this standard does not apply.

10. Mechanical Equipment. *All exterior mechanical equipment shall be screened from view with appropriately designed screens, parapet walls, landscaping or any other form of screening which the commission or the planning and development services manager may deem acceptable. The design, style, color and texture of the required screening method shall be compatible with the existing or proposed building/facade design.*

No change is proposed so this standard does not apply.

Secretary of the Interior's Standards for the Treatment of Historic Properties.

The Historic Preservation Ordinance provide that the Commission be guided by the latest Rehabilitation Standards contained in the Secretary of the Interior's Standards for the Treatment of Historic Properties. Staff reviewed the project for compliance with the applicable standards below:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

No change is proposed so this standard does not apply.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

No change is proposed so this standard does not apply.

3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

No change is proposed so this standard does not apply.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

No change is proposed so this standard does not apply.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

The proposed replacement of wood frame windows with vinyl windows do not preserve the distinctive material of the windows. Therefore, the proposed project does not meet this standard.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The historic windows were replaced without permits, and, therefore, we have no evidence that the windows could have been repaired. In addition, the proposed windows do not "match the old in design, color, texture and, where possible, materials". The material, as previously discussed is not appropriate as a replacement material. Therefore, the proposed project does not meet this standard.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

No change is proposed so this standard does not apply.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

No change is proposed so this standard does not apply.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

No addition is proposed so this standard does not apply.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

No addition is proposed so this standard does not apply.

REQUIRED FINDINGS:

The findings required in Section .5809-13(F)(6) of the Pomona Zoning Code for Certificates of Appropriateness are contained in the attached resolution (Attachment 1).

CONCLUSION:

The City has been consistent that vinyl windows are not appropriate as a substitute material for historic windows. In addition, vinyl is not discussed as an appropriate substitute material in the National Park Service's Preservation Brief #16. Therefore, staff recommends that the Commission deny the Major Certificate of Appropriateness

ENVIRONMENTAL REVIEW:

Staff has determined that this project is exempt for the California Environmental Quality Act (CEQA) pursuant to Sections 15270 – Projects which are Disapproved of the California CEQA Guidelines.

ATTACHMENTS:

1. Historic Preservation Commission Resolution No. 24-018
2. Photographs of site and surrounding area
3. 1993 Citywide Survey
4. 1998 Lincoln Park Survey
5. Preservation Bulletin #16