



CITY OF POMONA COUNCIL REPORT

November 21, 2022

To: Honorable Mayor and Members of the City Council

From: James W. Makshanoff, City Manager

Submitted By: Anita Gutierrez, AICP, Development Services Director

**SUBJECT: APPEAL OF MAJOR CERTIFICATE OF APPROPRIATENESS NO.
18024-2022 FOR PROPERTY LOCATED AT 548 AND 554 W.
CENTER STREET**

RECOMMENDATION:

It is that the City Council adopt one of the following resolutions (Attachment No.s 1 & 2):

**RESOLUTION NO. 2022-208 - A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF POMONA, CALIFORNIA, DENYING MAJOR
CERTIFICATE OF APPROPRIATENESS (MAJCOA 18024-2022) FOR
THE DEMOLITION OF PRE-1945 STRUCTURES ON PROPERTIES
LOCATED AT 548 AND 554 W. CENTER STREET (APN: 8340-030-006 &
8340-030-012)**

or

**RESOLUTION NO. 2022-212 - A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF POMONA, CALIFORNIA, APPROVING MAJOR
CERTIFICATE OF APPROPRIATENESS (MAJCOA-018024-2022) TO
ALLOW FOR THE DEMOLITION OF PRE-1945 STRUCTURES
LOCATED AT 548 AND 554 W. CENTER STREET (APN: 8340-030-006 &
8340-030-012)**

EXECUTIVE SUMMARY:

The matter before the City Council is an appeal, by the project applicant, of the Historic Preservation Commission's decision on Major Certificate of Appropriateness No. 18024-2022. On October 5, 2022, the Historic Preservation Commission ("Commission") denied the applicant's request to allow for the demolition of a six-unit multifamily development located at 548 W. Center Street and one single family dwelling located at 554 W. Center Street, estimated to have been constructed in 1885 and 1895, respectively. Approval of Resolution No. 2022-208 would uphold the Commission's decision, deny the Major Certificate of Appropriateness and not allow the demolition to move forward. Approval of Resolution No. 2022-212 would reverse the

Commission's decision, approve the Major Certificate of Appropriateness and allow the applicant to pursue a demolition permit.

PUBLIC NOTICING REQUIREMENTS:

Pursuant to Section .5809-13, of the City of Pomona Zoning Ordinance (Historic Preservation), a notice of public hearing is required to be sent to the applicant and mailed to all owners of property located directly adjacent to and directly across the street from the subject site, at least ten days prior to the date of the public hearing. A notice was sent to the applicant, adjoining property owners on November 9, 2022 (Attachment No. 3).

PREVIOUS RELATED ACTION:

On September 7, 2022, the Historic Preservation Commission held a public hearing concerning the requested Major Certificate of Appropriateness (COA). At this hearing, while Planning Division Staff brought forward a recommendation to approve the request, the Commission made a motion to deny Staff's recommendation and directed Staff to return to Commission with findings for denial on a 5-2-0-0 vote.

At the next regularly scheduled Historic Preservation Commission meeting on October 5, 2022, Planning Division Staff brought forward a similar recommendation to approve the request as Staff had re-evaluated the properties and did not find sufficient evidence to support the designation criteria or the integrity requirements to be designated as local historic landmarks. The Commission made a motion to deny the Major COA based upon their determination that despite alterations, the structures on both properties are contributing and have sufficient integrity, and are deemed to be of historic significance. This motion passed on a 4-3-0-0 vote.

On October 13, 2022, the property owner filed an appeal (Attachment No. 4) of the decision of the Historic Preservation Commission. The staff reports for both the September and October Historic Preservation Commission meetings have been included for your consideration as Attachments 5 and 6, respectively.

APPLICABLE CODE SECTION:

Pursuant to Historic Preservation Section .5809-13.G of the Pomona Zoning Ordinance, which establishes appeal procedures for a Major Certificate of Appropriateness, decisions of the Commission may be appealed to the City Council. In addition, the following code section of the Pomona Zoning Code apply to the project:

- Section .5809-13.F.8 – Special Considerations Regarding Demolition of Pre-1945 Nondesignated Structures

ENVIRONMENTAL IMPACT:

Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (CEQA), no environmental determination is required for projects that will be rejected or disapproved by a public agency. However, should the proposed project be approved by the City

Council, the proposed project meets the criteria for a Class 1, Section 15301 Categorical Exemption (Existing Facilities), pursuant to the CEQA Guidelines.

DISCUSSION:

At the Historic Preservation Commission public hearing on September 7 and October 5, 2022, Staff had determined that the subject properties do not meet the designation criteria or the integrity requirements for local historic landmark designation, nor as a contributor to a potential historic district. The Commission considered if the properties would meet the criteria used in historic landmark designation and made findings that the subject properties meet Criteria 3 and 4 of the designation criteria listed in the City's Historic Preservation Ordinance.

Criterion 3 reads *"It embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship."* Criterion 4 reads *"It contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development."* By deciding that the properties meet criteria 3 and 4 used in historic landmark designation, the properties are deemed to be of historical significance and the Commission denied the certificate of appropriateness for demolition unless it meets the criteria for economic hardship. The approved Historic Preservation Commission Resolution No. 2022-026 has been provided as Attachment 7.

Prepared by:

Alan Fortune
Assistant Planner

ATTACHMENTS:

- Attachment No. 1 – Draft City Council Resolution No. 2022-208 (Deny appeal)
- Attachment No. 2 – Draft City Council Resolution No. 2022-212 (Approve appeal)
- Attachment No. 3 – Public Hearing Notice
- Attachment No. 4 – Appeal Application and Letter Submitted by Applicant dated October 13, 2022
- Attachment No. 5 – Historic Preservation Commission Meeting Staff Reports (with attachments) for September 7, 2022
- Attachment No. 6 – Historic Preservation Commission Meeting Staff Reports for October 5, 2022
- Attachment No. 7 – Approved Historic Preservation Commission Resolution No. 2022-026.
- Attachment No. 8 – Presentation

