

UNOFFICIAL MINUTES
POMONA HISTORIC PRESERVATION COMMISSION
JUNE 5, 2019

- A. CALL TO ORDER: The Historic Preservation Commission meeting was called to order at 6:32 p.m. by Chair Debra Martin.
- B. PLEDGE OF ALLEGIANCE: Commissioner Ann Tomkins led the pledge of allegiance.
- D. ROLL CALL: Roll was taken by Development Services Director Anita Gutierrez.
- COMMISSIONERS PRESENT: Chair Debra Martin; Vice-Chair James Kercheval, Commissioners Jim Gallivan, Ann Tomkins, Jennifer Williams (arrived at 6:35 p.m.), Tamara Gonzalez, Alice R. Gomez.
- COMMISSIONERS ABSENT: None
- STAFF PRESENT: Development Services Director Gutierrez, Senior Planner Ata Khan, Assistant Planner Eunice Im, Assistant Planner Sandra Elias

ITEM D:
PUBLIC COMMENT:

None

Motion by Chair Martin, seconded by Commissioner Kercheval, carried by a unanimous vote of the members present (6-0-0-1), to move Director Communication to the first item on the agenda.

ITEM E:
CONSENT CALENDAR:

1. Approval of draft Historic Preservation Commission Minutes for April 3, 2019 and May 15, 2019.

Commissioner Tomkins reported several minor changes to the April 3, 2019 meeting minutes.

- On Page 5 her name is spelled wrong
- On Page 9 at the top of the page it says Chair Tomkins, adjust to Commissioner.

Commissioner Gonzalez reported changes to the May 15, 2019 meeting minutes.

- On Page 2 her last name is spelled incorrectly
- On Page 3 on the very top the word “office” need to be added to “State Historic in the sentence that reads “Commissioner Gonzalez reported the subcommittee met with people from the State Historic and “potential resources group” should be changed to “architectural resources group”
- On Page 3 further in that paragraph talking about the designation of the stables its listed as designation in 2014 and that should be 2004
- On Page 6 when Debra Clifford spoke, she believes she said millions of dollars are needed to bring the Phillips, not billions.
- On Page 14 towards the top “thanked Acting Public Works Director Guerrero.” should say Commissioner Gonzalez, not Commissioner Gomez.

Commissioner Tomkins reported changes on May 15, 2019 meeting minutes:

- On Page 11 it reads “Commissioner Kercheval asked if the City choses” and it should be “chooses”.
- On Page 14 it reads “Chair Martin recommended adding something about insurance to make sure the City works diligently to get the most out of the insurance funds” and she didn’t see anything about insurance in the actual motion. She requested staff look at that to see if they are missing something.
- On Page 16 towards the bottom reads “Chair Martin replied to designate the Fox Theater many years ago, the deed was required.” but she remembers Chair Martin said it was not required.

Development Services Director Gutierrez informed Commissioner Tomkins she added detail to the motion. She shared she went back and listened to the tape because the motion was an iteration to make. She stated she will make sure it includes “ensure the City pursues getting the most out of the insurance dollars.”

Chair Martin agreed with Commissioner Tomkins stated that the deed was not required for the Fox Theater.

Commissioner Tomkins shared she reported changes to last month minutes.

Development Services Director Gutierrez replied yes and that she still has those from February 6, 2019.

Motion by Commissioner Gallivan, seconded by Commissioner Kercheval, carried by a unanimous vote of the members present (7-0-0-0), to approve the minutes for April 3, 2019 and May 15, 2019 as amended.

PUBLIC HEARINGS:

ITEM F-1

PUBLIC HEARING – MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 11207-2019) TO ALLOW FOR THE DEMOLITION OF A PRE-1945 SINGLE FAMILY RESIDENCE ON A PROPERTY LOCATED AT 1150 BUENA VISTA AVENUE.

Item continued from April 3, 2019. Staff requested that the public hearing for this item be continued from June 5, 2019 to an off-calendar date.

Chair Martin opened the public hearing.

Debra Clifford, Historic Society of Pomona Valley; Requested the Commission remember that 1150 Buena Vista is an orchard house. She shared last month she saw some Facebook chatter about the City not saving houses South Pomona. She stated this would become another example of a house being torn down, as if the City is only interested in saving things in the northern part of the City. She noted south Pomona has fewer resources and so the Historic Preservation Commission should be more careful with these homes because they are rarer and need to be looked at with great care.

Development Services Director Gutierrez reported the applicant has not prepared the additional information requested and staff doesn't know when that is going to be.

Motion by Commissioner Gonzalez, seconded by Commissioner Tomkins, carried by a unanimous vote of the members present (7-0-0-0), to continue this item off-calendar.

ITEM F-2

PUBLIC HEARING – MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 011397-2019) TO DENY THE DEMOLITION OF FOUR PRE-1945 SINGLE FAMILY RESIDENCES ON A PROPERTY LOCATED AT 961 EAST PHILLIPS BOULEVARD.

Item continued from the April 3, 2019 Historic Preservation Commission meeting.

Eunice Im, Assistant Planner, provided a presentation on this item.

Development Services Director Gutierrez stated the Commissioners have two options tonight to consider.

- 1) Staff needs more clarification from this body on the fourth structure in order to make denial findings, so this evening the Commission can provide that, and staff can pursue denial findings for all four structures as previously directed, or
- 2) As noted in the staff report, additional information was received after the close of the public hearing at the last Historic Preservation Commission meeting for this item and there was an additional survey. She stated if the Commissioners would like to consider that survey and reevaluate their decision, staff would need to re-notice the hearing.

Commissioner Tomkins asked if the survey was something the Commission requested.

Development Services Director Gutierrez replied no, it's something the applicant wanted to do and provided.

Commissioner Tomkins confirmed the applicant would like the Commission to continue this item.

Development Services Director Gutierrez replied that is correct, the applicant would like the Historic Preservation Commission to consider the survey.

Commissioner Williams asked if the Commission can deny demolition on three of the properties and then allow it on one being that this is all on one report.

Development Services Director Gutierrez replied yes.

Commissioner Williams asked what will happen if the Commission does not allow demolition of these buildings.

Development Services Director Gutierrez replied if they do not allow demolition then legally these structures could not be demolished, however, the applicant would have an opportunity to appeal this decision to the City Council.

Commissioner Gomez stated there was a lot of discussion at the last meeting about all four homes and the differences and the separation. She stated staff have indicated there is additional information and that a survey was done, so she feels the item needs to be brought back on another date.

Commissioner Gallivan and Commissioner Kercheval agreed with Commissioner Gomez.

Chair Martin opened public comment.

Emilia Gomez, requested a translator; she stated she has lived 961 for 17 years. She shared her house is in good condition on the inside because she has maintained it. She commented she doesn't feel it is fair to demolish and kick them out fast. She shared she has a daughter in special care. She stated the previous owner did not fix the house and so she has been doing the all the repairs and now they want to now demolish a house that she has been taking care of. She shared the previous manager caused her to go to the hospital because of paralysis and stress. She shared he would come to the house at 10:00 -11:00 p.m. and tell them they were going to demolish their houses, one time during a party and he wanted to fight because he wanted payments. She requested more notice because all of this is happening too fast for her.

Chair Martin asked how much time Ms. Gomez felt was fair.

Ms. Gomez replied four months would be fair because she built a porch on the back to stop water that was getting into the house and the previous owner said she was going to help her remove it.

Guillermo Lopez requested a translator; shared he lives in 949 and stated he has the same problem as the other residents, no time to move. He stated they have been presented with another owner and it seems they are always changing the owners. He stated he finds his house in good condition, so he doesn't understand why they want to demolish the houses, when the previous owner didn't want to.

He stated he wants to know how much time they are going to have if they demolish the houses have because he has a lot of stuff. He spoke about not meeting the previous owner and about changing laws and payments.

Commissioner Gomez asked a question in Spanish, "How many years have you lived in the house?"

Mr. Lopez replied three years.

Salvador Sanchez, tenant from 955 E. Phillips Boulevard; He expressed concerns that he was never noticed that this was going to happen and doesn't think it's fair the way it's happening. He shared that they thought Mr. Harry who was submitting the applications was the owner, however, this week another lady came stating she was the owner and told them he was just the manager and that they fired him. He stated they have been told lies and they were trying to convince them not to come because it would affect them. He stated he thinks 949 and 953 should be classified as

historic and preserved because the flooring, ceiling, windows are original. He stated 955 and 961 have more problems and are not as original as the other two; however, in 955 (the one he lives in) the windows are intact. He noted that right across the street there is an elementary school and there are a lot of kids are running around at that intersection of Phillips and San Antonio Street, as well as, there are a lot of accidents. He stated if they add more cars it be a huge safety concern for the community.

Qiuying Liu and Yongzhi Wan, property owners; Ms. Lui shared they have explained to all the tenants that they are the owners and have been since October of last year. She stated they have been taking care of the tenant's rights and wants to be nice to everybody. She shared their goal is to build a better community in the City of Pomona because these are old houses and they want to make the environment and community better. She spoke about giving the tenants a lot of time and shared she been in contact with them for a couple days and talking with them to see how much time they need. She reported she has told them they will be given up to 90 days if they need more time to prepare, which she feels is fair to everybody. She shared they had a lady (Carrie Chasteen) work on historical research and she is ready to report today. She stated she is not sure if Ms. Chasteen can finish in three minutes so if the Commission needs more details, they can provide more time to decide.

Commissioner Williams confirmed the two recommendations were to either move forward with the recommendations or it must go to a different meeting if they want to discuss the new material.

Development Services Director Gutierrez replied that is correct.

Commissioner Gonzalez confirmed they can't even reference the report.

Development Services Director Gutierrez replied no. She stated she would not encourage any discussion because the public hearing has been closed on this item.

Victor Lockett, designer for the potential project, stated he is representing the current owner and the builder, who have done several projects in the City of Pomona that have been very positive. He stated the current owner is someone that looks at a piece of property knowing they can develop it by right. He stated it is unfortunate that there were some situations and how they were handled previously but that shouldn't shed a light on what is allowed by right. He reported the findings in the report that was prepared by a third-party review backs up a lack of findings. He stated he knows the owner and builder have expressed a willingness to salvage some of the items the Commission shared an interest in. He stated the point of this is to determine the historical significance of these structures. He shared he can see precision block in some of the foundations that leads him to believe the homes are not original and were moved from another city, but it is hard to find records, so he doesn't know. He spoke about the potential for the structures to be neglected and not contribute to the city scape, as well as, pose a hazard to occupants. He stated trying to bring something to some sort of historic quality is hard and he doesn't see many people having the time to do that.

Chair Martin called up the next speaker, Carrie Chasteen.

Commissioner Gonzalez asked if was appropriate for Carrie Chasteen to speak because she was the one who wrote the report.

Development Services Director Gutierrez replied she can speak as part of public comment.

Commissioner Gonzalez asked if she can speak about the report.

Development Services Director Gutierrez replied she can speak if it's related to the item. She stated the Commissioners cannot consider the report as part of their decision making if they are going to decide today.

Carrie Chasteen, Southwest Environmental Professional Architectural Historian, shared she meets the Secretary of the Interior professional qualification's standards pursuant to Federal Regulations and has more than 17 years of experience. She shared she conducted a third-party independent peer review of the subject property which consisted of a site visit to document the current conditions of the buildings, permit research and assessor research. She reported the original building on the property is currently numbered 961 Phillips and this building has been substantially altered. She reported this home has its windows replaced and the openings have been changed, as well as, the interior has been largely gutted and does not retain integrity. She reported 955 Phillips was moved to the site and has also been substantially altered. She reported 949 Philips was moved to the site and has been altered with a new porch foundation and rear addition. She

reported 953 Phillips was moved to the site and although the building generally retains integrity it is a common and low style example of Tudor Revival architecture. She stated none of these buildings have an association with a significant event or person. She noted CEQA and the Pomona Municipal Code does not regulate privately owned interior spaces, however, the owner is willing host an open house for the salvage of architectural features of these buildings as a good faith effort and to be good neighbors.

Commissioner Gallivan asked when the houses were moved and where were they moved from.

Ms. Chasteen replied the permits did not identify the specific locations, but in the report she prepared there is a summary of building permits that were issued, broken down by address. She reported 955, 953 and 949 were all moved in 1956.

Chair Martin asked what year the 10 Freeway came through Pomona.

Ms. Chasteen replied 1955 to 1957. She shared she worked on the I-10 project. She stated it was roughly the same period and it could be possible that it was to avoid the freeway. She reported they were moved within the City of Pomona, but she didn't look to see if it was for mitigation of the Freeway. She noted they wouldn't have mitigated at that point anyway.

Debra Clifford, Historic Society of Pomona Valley; commented this is a classic gentrification piece. She stated as the Commission looks at all the properties and what to do with them, there are not great answers. She commented the issue is larger than the Commission, but one that the City must figure out, because there have been two items in the last couple of months and they are not going to go away. She stated she is back pleading for the historic architecture in South Pomona. She stated that area doesn't have nearly as much, and it is primed for having them all torn down and replaced with 2019 monolith townhouses with little architectural value. She commented there are no easy decisions, unless we encourage people to involve historic architecture in the building and, to design to fit the neighborhood. She stated the one comment made that they aren't historic because they were moved there in 1956 is inaccurate. She stated that could be a trend for Pomona and therefore historic. She commented many houses have been moved and still of value.

Chair Martin closed public comment.

Commissioner Gallivan commented he was trying to remember if these were the houses the Commission though had been moved, because they looked like had come from other neighborhoods.

Commissioner Gomez agreed with Commissioner Gallivan. She remembers discussing the homes and they had a North Pomona look. She agreed with Debra that all homes with historical value are important and stated it's always been her belief that there are homes throughout Pomona, not just in one area, that the Commission needs to look to preserving. She suggested the Commission do a tour of south Pomona or any part of Pomona that they know has things there they haven't seen before. She spoke about people wanting new things and disregarding older things without trying to repair, equivocating the situation to an old pair of shoes. She commented she has a hard time with this.

Commissioner Williams thanked everyone who spoke. She stated the property owners shared they are interested in developing to improve the City and make it better, but better does not necessarily mean new, especially in Pomona. She stated Pomona's historic character is part of what defines the City. She commented retaining things that are historically relevant or beautiful is something she finds to be an improvement. She stated she appreciates people speaking about their concerns over fair notification, however, that cannot affect the Commission's decision. She stated the inside of the homes were lovely in the pictures in the presentation, with Batchelder tile in one; however, she has repeatedly heard that the Commission cannot use internal characteristics to make a finding of historical significance. She shared she read through the ordinance and it is her understanding that when the Commission is determining whether something is going to be demolished, they are supposed to examine whether it meets the criteria used in historic landmark designation. She shared the description did not say they cannot use internal attributes to make that judgement. She stated the code written for a Certificate of Appropriateness states the Commission is not allowed to regulate what people are doing inside their home and she understands why that ordinance is written that way. She reiterated that determining historical significance for a demolition doesn't have that same language and so she is wondering whether the Commission should be looking at the internal attributes of these homes, which are lovely and are clearly related to certain distinctive historic characteristics. She asked for clarification on this matter.

Development Services Director Gutierrez replied she had a discussion with the legal representatives and Pomona's ordinance stated the Department of Interior Standards should be used to evaluate whether a building has historical significance. She reported the attorneys have said there is flexibility in how the City interprets those Interior Standards and what is distinctive is up to the local jurisdiction. She shared she has Attorney Sarah Owsowitz available if the Commission would like to elaborate further.

Chair Martin asked her fellow Commissioners if they want Development Services Director Gutierrez to get the attorney on the phone.

Commissioner Tomkins asked if she went through Pomona's ordinance and the criteria listed there for designation.

Development Services Director Gutierrez replied correct.

Commissioner Tomkins stated she read it the same way as Commissioner Williams read it, determining that there is nothing that limits to the exterior.

Development Services Director Gutierrez replied correct; it specifically says exterior a few times, but it does not say they cannot consider interior.

Commissioner Williams stated based on the designation criteria she would argue that four buildings located on this lot make this parcel unique in that area. She stated she thought Debra Clifford made an excellent point that the movement of homes of a certain era to different places around a certain time period is part of a geographic trend, so that could be related to the ninth criterion (geographic patterns, different eras of settlement/growth). She stated one could also argue that the fact that there are four homes on this parcel is also relevant to criterion number six (has a unique location). She stated that area is currently a highly dense area with quite a few apartment homes, and so this has become its own historic area. She noted the homes need a lot of work and expressed concerns for what would happen if the Commission denies the demolition permit. She stated her understanding is there is no obligation to care for those buildings. She commented if she were the person who had purchased this parcel making a big investment, she would be disappointed and feels like that decision was hampering development in the area. She recommended the Commission think about what is going to happen to these buildings and if they are effectively saving them if they deny demolition. She reiterated she would argue that these homes are historically significant.

Commissioner Gonzalez asked why Commissioner Gomez, Commissioner Gallivan and Commissioner Kercheval wanted to move this discussion to the next meeting.

Commissioner Gomez replied to hear additional information that was been brought forward in reference to survey. She stated she indirectly received some information but wants to make sure she had all the facts.

Commissioner Gallivan replied they have not officially received that information yet.

Commissioner Gonzalez agreed they have not officially been given the information, but they have been given it unofficially as part of their packet and were able to read and digest that information. She stated she understands they can't discuss it, but they all have a point of view and they could still decide.

Chair Martin replied yes, they could decide tonight or postpone it.

Commissioner Tomkins stated it's difficult to have a document and not be able to discuss it. She stated she would like to hear what each of the Commissioners thinks about it and requested to have Counsel present to ask questions of. She commented they should be looking at each of these individually, but they are asking for demolition for one property and all four homes at the same time and so if they can't make the findings for all four homes should they deny it entirely. She stated she has questions about the process and how the City's ordinance works.

Development Services Director Gutierrez replied the Commission can bifurcate the homes.

Commissioner Tomkins replied that is not the same as getting a legal answer. She stated it is very difficult to proceed, because it's a difficult situation and she fears if they put off the decision, they are just delaying the process because she suspects they will end up at the same place.

Commissioner Gallivan asked if all the historically significant buildings could be consolidated to one area on the large lot. He commented that would preserve the element of houses that had been moved and moved again to make way for the future. He stated if part of the land is dedicated to the preservation it would be a compromise between saving and building.

Commissioner Gonzalez confirmed on that same parcel.

Commissioner Gallivan replied yes on the same parcel.

Commissioner Tomkins asked if any research had been done in the newspapers to identify where they were from, because the fact that the homes were all moved around the same time is significant. She commented she knows none of them had a street mentioned to find out who owned them, so there is a gap of knowledge about who owned them before they were moved that might be important.

Commissioner Gonzalez asked if the residents (occupants) listed on the Historic Resources Analysis, on Page 4, were only residents only for 961.

Assistant Planner Im replied yes, when staff did research throughout the city directories only residents for 961 appeared.

Commissioner Gonzalez replied then it would be difficult for us to surmise that there weren't any people of significance that potentially lived in the three houses that were moved in 1956 or that they weren't in an important location with some history attached. She stated she agrees with Commissioner Tomkins that three houses all moved in the same year seems newsworthy in our City. She commented people don't pick up a house and move it in 1956 when they are building a major highway here.

Chair Martin agreed that three houses moved at the same time, within Pomona, indicates there was something significant going on. She stated the correlation with the 10 Freeway means most likely these homes were near the freeway. She commented they were special enough to move and save. She spoke about it being a travesty to lose history and stressed the importance of knowing what happened 50-100 years ago. She commented not every family member wanted to pass down the history or knew how to, but that doesn't mean someone special didn't live in these homes. She stated everybody who lived in a home during that era was special and out of respect for all the folks that are gone in the world she is having a hard time saying there is nothing significant about a person who lived there.

Commissioner Gallivan requested the motion include research to see if there is a way that the significant houses could be moved into an area on the parcel that would allow them to still exist even though it was being built on.

Development Services Director Gutierrez replied that is part of project design and the Commission's purview is to determine whether there is historical significance in these structures.

Chair Martin made a motion to carry this item until another calendar date.

Development Services Director Gutierrez clarified she motioned to take it off calendar and to have staff notice it and bring this back as a newly re-noticed public hearing.

Motion by Chair Martin, seconded by Commissioner Gomez, carried by a unanimous vote of the members present (7-0-0-0), to continue this item to an off-calendar date and for staff to bring this item back at a re-noticed public hearing.

Roll Call Vote: Commissioner Tomkins – yes, Commissioner Martin – yes, Commissioner Gonzalez – yes, Commissioner Williams – yes, Commissioner Gomez – yes, Commissioner Gallivan – yes, Commissioner Kercheval – yes.

Development Services Director Gutierrez clarified for the audience that the Commission has taken this item off calendar and it will be re-noticed and come back. She stated they will receive a new public notice and there will be new hearing date to consider this item. She requested Commissioner Gomez translate that information into Spanish.

Commissioner Williams advised those who spoke on this item that they are in District 3 and that Nora Garcia is their Councilmember. She stated if they have concerns that is somebody they can reach out to.

ITEM F-3

PUBLIC HEARING – MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 11732-2019) TO RETROACTIVELY LEGALIZE THE REMOVAL OF ONE (1) PECAN TREE AND ONE (1) RED IRONBARK EUCALYPTUS TREE ON A PROPERTY WITH A NONCONTRIBUTING TWO-STORY SINGLE FAMILY RESIDENCE AND TWO FOUR-UNIT APARTMENT COMPLEXES LOCATED AT 440 E. ALVARADO STREET IN THE LINCOLN PARK HISTORIC DISTRICT.

Sandra Elias, Assistant Planner, provided a presentation on the item.

Chair Martin opened public hearing and invited the applicant forward.

Jeff Estrada, 440 E. Alvarado Street, the applicant; reported the tree closest to the neighbor's structure was damaging their home from the top and broke a window at one point. She stated that is how the issue began and the neighbors kept coming at the management company wanting windows, facias and roofing replaced. He stated the second tree had branches breaking off damaging structures and sidewalks.

Commissioner Tomkins asked how long Mr. Estrada owned the property.

Mr. Estrada replied he is not the owner; he works for the management company. He stated the owner has had the property for at least 15 years.

Commissioner Gonzalez asked when the last time the trees were trimmed.

Mr. Estrada replied not in the last 15 years since he has been there.

Commissioner Tomkins shared the staff report included tree trimming documentation from 2006 and 2008.

Commissioner Gallivan shared the notification sign was not visible and had been thrown over near the side of a bush when he stopped by the site.

Mr. Estrada replied she found it and brought it with her today.

Commissioner Gallivan replied he stuck it back in the ground again.

Mr. Estrada replied she found it again and brought it with her today.

Commissioner Williams asked for clarification of who the woman was Mr. Estrada was referring to.

Mr. Estrada replied she's the manager for that property. He clarified she is the manager and he is the Field Supervisor.

Commissioner Gonzalez asked who requested the trees to be cut down.

Mr. Estrada replied the management company due to the problems they were having with the neighbors and the building.

Commissioner Gonzalez confirmed that management company is Golden Opportunity.

Mr. Estrada replied no, it's Pama Management.

Commissioner Gonzalez asked if they are in the City of Pomona.

Mr. Estrada replied no, Montclair at 4714 Holt Avenue.

Commissioner Gonzalez confirmed they instructed Mr. Estrada to have the trees cut down.

Mr. Estrada replied no. He stated they hired a different company. He shared Mr. Gutierrez contacted him to stop everything because they were cutting down trees that they were not supposed to. He shared he showed up on site told these the guys to leave.

Commissioner Gonzalez commented it's hard to follow.

Mr. Estrada stated the management company hired a tree trimming service and the City stopped everything.

Commissioner Tomkins asked if it was the same management company that has been since 2008 who got a permit last time to trim.

Mr. Estrada replied he would think so. He stated he has always worked under Pama Management.

Chair Martin asked when they called to stop the tree trimming, because it looks like it was already complete.

Mr. Estrada replied they got their too late.

Commissioner Gonzalez asked if management can provide any documentation about the damage caused by the tree next to the blue house (pecan tree).

Mr. Estrada replied he is sure they have something. He asked the site manager a question in Spanish, "Do we have proof in the office of all the windows that were broken?" He stated she replied they don't have anything at the office, but the owner can probably provide documentation from the last broken window.

Commissioner Gallivan commented it was one of the largest pecan trees he has ever seen.

Commissioner Gonzalez agreed it was very big.

Commissioner Kercheval asked if there was a reason the owner is not here tonight.

Mr. Estrada replied he doesn't know.

Commissioner Gonzalez asked about the manager that approved the trimming.

Commissioner Kercheval asked where the property manager who approved the trimming was tonight.

Mr. Estrada replied management was the one that approved everything and told him to go out there.

Commissioner Kercheval confirmed they are not here tonight.

Mr. Estrada replied no; this is his first time here.

Commissioner Gallivan stated he has been told by some of the people who lived there and around that area that they really wanted that tree and were disappointed when they saw it was gone. He stated they didn't consider it to be a detriment.

Mr. Estrada replied he only knows it started due to a neighbor complaining about roofing, fascia and window issues.

Commissioner Tomkins asked how long it took for them to trim and remove the trees.

Mr. Estrada replied within hours. He got there that morning and within hours it was done.

Commissioner Tomkins shared one of the neighbors mentioned the tree trimmers had been there a few days.

Mr. Estrada confirmed with the site manager that it all happened the same day.

Commissioner Kercheval asked if he knows the name of the tree company.

Mr. Estrada asked the site manager for the name. Chair Martin requested she come up.

Commissioner Gonzalez asked Development Services Director Gutierrez if the property owner was fined for doing this.

Development Services Director Gutierrez replied no; the City doesn't have any punitive fines in our zoning code. She stated the remedy is to apply for a retroactive permit.

Commissioner Gonzalez asked how much that permit costs.

Assistant Planner Elias replied \$503.33.

Development Services Director Gutierrez added plus the replacement of two trees per the conditions.

Commissioner Gallivan asked about retribution against the tree company that did this without a permit.

Development Services Director Gutierrez replied there is not mechanism in Pomona's zoning code to go after the tree company.

Chair Martin replied that is something to note for the Tree Ad-Hoc Committee.

Mr. Estrada replied the company was Universal Tree Services.

Commissioner Gallivan asked where they are located.

Mr. Estrada replied Mira Loma.

Commissioner Gonzalez asked Development Services Director Gutierrez if a tree trimmer from outside the City would be required to have a license to operate in the City of Pomona.

Development Services Director Gutierrez replied yes; they would need a business license.

Commissioner Gonzalez asked if this tree company has a business license in Pomona.

Assistant Planner Elias replied they submitted a business license when they submitted their application.

Commissioner Gonzalez confirmed it was after the fact.

Assistant Planner Elias replied she believes so, but she didn't check to see the date it was issued. She stated there was a business license number noted on the application.

Chair Martin closed the public hearing.

Commissioner Williams stated she understands there is not a fine per the code and she sees that the resolution, Section 3, lays out the conditions. She asked what happens if the owners do not comply.

Development Services Director Gutierrez replied they would be issued a notice of violation for failure to comply with conditions of approval and would be subject to code compliance.

Commissioner Gallivan asked if there will be a time limit because they have had trouble with people never following through.

Development Services Director Gutierrez replied the resolution states the applicant must plant within sixty days and if the tree dies within 1 year they must replant.

Commissioner Kercheval added that the size of the box is the Commission's discretion.

Development Services Director Gutierrez agreed.

Commissioner Tomkins stated the Commission can also dictate the number of replacement trees. She stated in the past they have required more than just one for one replacement. She commented given the size of these trees, a 15-gallon tree is not going to replace what was removed for many years. She asked staff about the number of trees that were trimmed 10 years ago and if they know how many of those trees are still on the lot.

Assistant Planner Elias replied no, unfortunately she did not take a count of all the trees. She noticed the most recent permit specified 13 trees, so she knows there were at least 13 trees on the site.

Commissioner Gonzalez replied that was in 2008.

Commissioner Tomkins commented as someone who walks down that street everyday it was a dramatic change after the trees were trimmed. She shared she spoke with several neighbors who said that they had been calling code enforcement for days and couldn't get anyone to come out.

Chair Martin requested to see the picture of the whole complex again.

Commissioner Tomkins requested to also pull up a picture from Google maps of the front of the property before the trimming.

Assistant Planner Elias showed a picture from Google street view.

Chair Martin asked if there was an aerial Google Map.

Commissioner Tomkins commented the picture shown was after it was pruned.

Commissioner Gallivan commented some of the oldest homes in Lincoln Park are right next to this site.

Assistant Planner Elias shared a photo from before the trees were cut.

Commissioner Tomkins stated she was trying to pull up a picture of what it looks like now.

Commissioner Gallivan commented some of the trees look shabby now.

Commissioner Tomkins commented she wasn't sure if they were going to take out the tree in the front too, because they were cutting up from the bottom. She thinks that is why the arborist stated they weren't pruned appropriately for the type of tree, there were more lower branches which have been taken up.

Commissioner Gonzalez commented that a pruning would have sufficed on the pecan tree.

Commissioner Gallivan asked if the owner could go after the tree trimming service for not doing it properly.

Development Services Director Gutierrez replied the owner could civilly.

Commissioner Gonzalez replied that's speculation because they don't know that the owner didn't direct the tree trimming service to cut the trees down. She asked if there was a maximum size, the Commission can require the owner to replant in that location.

Commissioner Tomkins asked if there is a penalty for operating in the City of Pomona with out a business license.

Development Services Director Gutierrez replied she does not believe so and the remedy is to get a license.

Commissioner Gallivan asked if the fine associated was for individual trees.

Development Services Director Gutierrez replied there is not a fine associated.

Commissioner Gallivan asked what the \$500 was for.

Development Services Director Gutierrez replied that was the retroactive tree permit and generally the City asks for one permit per property not per tree.

Commissioner Williams asked if retroactive permits are more expensive.

Development Services Director Gutierrez replied no.

Commissioner Gonzalez asked if her fellow Commissioners had any recommendation on the size of tree they would like to recommend.

Chair Martin stated she would like to see a total of four trees replaced, ideally two or three of them pecan trees and one a red eucalyptus, all 24-inch box trees, professional planted. She noted this is just her opinion not a motion.

Commissioner Tomkins commented she knows the tree ordinance allows for larger tree replacement sizes for different situations.

Development Services Director Gutierrez replied she believes it does but cannot recall that exact information.

Commissioner Gallivan agreed and stated sometimes they suggest moving a tree in.

Chair Martin suggested three pecans. She asked to see the backyard photo and commented two could be placed within the common grass area. She asked about the orientation of the apartments to the photo.

Assistant Planner Elias replied the single-family residence is in the front and the two apartments are in the back.

Chair Martin commented she feels it would appropriate to recommend replanting in a bigger space because pecan trees can get very large.

Commissioner Tomkins stated she would prefer the City Arborist recommend the placement and the species.

Commissioner Gonzalez asked as the size.

Commissioner Tomkins replied the Commission should determine the size. Commissioner Kercheval agreed.

Chair Martin asked why not pecan.

Commissioner Tomkins replied she feels it is better to have the City Arborist determine the variety. She stated she agrees with replacing the ones that were taken out because those were old trees that were historical and so they should be replaced.

Commissioner Kercheval stated he likes the idea of replanting in the courtyard. He commented he thinks the residents would appreciate a shady courtyard area to investigate and for children playing.

Commissioner Gonzalez commented they don't know what kind of services are in that courtyard and it's not in their purview to tell them where to put the trees.

Chair Martin replied they are recommending where to put the tree and will allow the Arborist to confirm.

Commissioner Kercheval agreed and replied they have recommended placement in the past. He suggested 24-inch boxes, because it's a significant size. He stated he doesn't think they can give direction on the care for the trees and has seen owner let trees die; however, it looks like they water the lawn and plants in the courtyard so he feels confident they would water the trees as they get established. He stated he also supports the Arborist involvement.

Commissioner Gallivan reiterated the tree are supposed to last a year.

Chair Martin confirmed if they are asking for two trees or more.

Commissioner Gonzalez and Gallivan replied more.

Commissioner Gonzalez, Commissioner Kercheval, Commissioner Gallivan, Commissioner Williams and Commissioner Gomez all agree with Chair Martin's recommendation of four trees.

Development Services Director Gutierrez asked what species.

Chair Martin stated she recommends at least two be pecans and then let the Arborist come up with the other two recommendations. She commented it is common to see pecan trees in Lincoln Park and they are big and beautiful, attracting different species of birds.

Commissioner Tomkins stated the Arborist recommended one pecan. She commented pecan trees get very large and she wouldn't recommend more than one on the property.

Commissioner Gonzalez stated she thinks they stick with the recommendation of one for one and allow the Arborist to choose the two additional trees that fit into the scape.

Commissioner Kercheval requested that they be significant and not crepe myrtles or palm trees.

Development Services Director Gutierrez clarified the motion was for four trees; one pecan, one red eucalyptus, the other two determined by the City Arborist, except not a crepe myrtle or a palm tree.

Chair Martin added she would also like to request two trees in the courtyard area if determined acceptable by the City Arborist.

Development Services Director Gutierrez confirmed the City Arborist will determine site location.

Chair Martin replied yes, but we are giving the recommendation to use the courtyard if possible.

Commissioner Kercheval asked about including the 24-inch size.

Commissioner Gonzalez agreed they need to mention size. She asked if they felt 24-inch was big enough.

Commissioner Kercheval stated they could be more punitive with 48-inch but that requires a truck and a crew.

Development Services Director Gutierrez asked if all four trees would be 24-inch box.

Chair Martin replied it will depend if they have enough locations for two more 24-inch. She recommended at least two 24-inches.

Commissioner Gonzalez requested to recommend all 24-inch trees.

Commissioner Kercheval agreed because he feels the City Council would uphold the decision at 24-inches but wouldn't if they requested 48-inch.

Chair Martin stated they are going to make a motion that all four trees be 24-inch box trees.

Commissioner Tomkins asked if there was any information about the type of trees were that were pruned before.

Assistant Planner Elias replied the permit doesn't specify the species of the trees. She stated there are photos provided and perhaps if the Arborist could look at those pictures and identify the species.

Commissioner Tomkins estimated that there is a lot less than thirteen trees now.

Chair Martin requested to see a picture of the backyard where the red eucalyptus tree was. She suggested that area for tree placement.

Commissioner Gonzalez requested to see the drawn-out plan view of the entire parcel, showing the main house, two apartments and the car ports. She commented there is not a ton of space between the backyard and the complexes.

Chair Martin suggested they leave the motion as discretionary sizes for two just in case.

Development Services Director Gutierrez confirmed the motion is for all 24-inch box.

Commissioner Williams stated she would also support saying two trees should be 24-inch and that two should match what was taken out, but that the decision about the size of the other two should be up to the discretion of the City Arborist. She noted one needs to be Red Ironbark eucalyptus and another needs to be a pecan tree.

Chair Martin confirmed Commissioner Williams asked her to amend the motion. She replied she will allow the City Arborist to make the decision on the other two sizes but hopes for at least 24-inch.

Development Services Director Gutierrez clarified the motion is for four trees; one red eucalyptus, one pecan both 24-inch box, and the other two trees size, location and species are up to the City Arborist, except no crepe myrtle or palms and to explore the courtyard as a possibility for planting.

Chair Martin confirmed.

Motion by Chair Martin, seconded by Commissioner Gomez, carried by a unanimous vote of the members present (7-0-0), to approve Major Certificate of Appropriateness (MAJCOA 11732-2019) to retroactively legalize the removal of one (1) pecan tree and one (1) Red Ironbark eucalyptus tree on a property with a noncontributing two-story single family residence and two four-unit apartment complexes located at 440 E. Alvarado Street in the Lincoln Park Historic District with a condition to add four trees; one 24 -inch red eucalyptus, one 24-inch pecan tree and two additional trees as recommended in size, location and species by the City Arborist, with the recommendation to exclude crepe myrtle or palms and a request to explore the courtyard as a possible planting location.

Roll Call Vote: Commissioner Kercheval – yes, Commissioner Gallivan – yes, Commissioner Gomez – yes, Commissioner Tomkins – yes, Commissioner Williams – yes, Commissioner Gonzalez – yes, Chair Martin – yes.

ITEM G:
DISCUSSION:

1. Report HPC ordinance Ad Hoc.

Development Services Director Gutierrez reported the Commission requested Counsel be available.

Chair Martin requested a 5-minute break 8:41 p.m.

The Historic Preservation Commission reconvened at 8:56 p.m.

Development Services Director Gutierrez reported Sarah Owsowitz from Best, Best, and Krieger (B.B.K.) joined the meeting via phone.

Chair Martin thanked Sarah Owsowitz for being available. She reported there was a misunderstanding and when she read the agenda and she thought it said the Ad-Hoc Committee for the City Stables, however, it read Ordinance Ad-Hoc. She asked they were able to make a motion to add this as a discussion item because she would like the Save the Stables Ad-Hoc to do a debriefing on Monday's night meeting.

Sarah Owsowitz replied the agenda specifies the ordinance Ad-Hoc, so she would say no, because they noticed a different item.

Chair Martin replied she misunderstood that Ad-Hoc Committee wasn't for the Stables. She stated that item is very active and there was decision almost made on Monday night with City Council. She reported the Ad-Hoc Committee has some questions to ask Sarah Owsowitz regarding the environmental reports and National Registry.

Sarah Owsowitz replied they can't add an item regarding the Stables Ad Hoc-Committee, but they can direct legal questions to staff, who can then direct those to her, and she can provide a written response.

Development Services Director Gutierrez clarified during Item H Historic Preservation Communication, the Commissioners can voice their specific questions and Sarah Owsowitz would later respond to those in writing.

Sarah Owsowitz replied yes, absolutely.

Development Services Director Gutierrez stated there would not be a discussion, just a voicing of questions with staff providing a later response.

Chair Martin stated the ordinance Ad-Hoc Committee has some questions too.

Commissioner Williams reported Commissioner Gonzalez and herself have been reviewing the city ordinance on historic preservation and they have noticed a few issues. She asked if they can consider the interior of a building when deciding on historic significance for a demolition. She commented she has heard that they can't repeatedly and believed it to be true.

Development Services Director Gutierrez interjected that she informed the Commission that decision was up to the local jurisdiction.

Sarah Owsowitz replied yes, that would be her answer. She noted it is different in the context of CEQA, but if the local ordinance authorizes the Commission to consider interior elements in determining eligibility for historic designation, that is typically acceptable.

Commissioner Kercheval and Commissioner Williams reported they are having trouble understanding Sarah Owsowitz.

Sarah Owsowitz reported she is hearing an echo. Chair Martin stated it could be the microphone next to the phone.

Sarah Owsowitz repeated that she would say yes, if the local ordinance the Commission to consider interior features in determining eligibility for local designation. She stated it would be different if they were looking at whether a demolition would be an impact under CEQA, but through your local ordinance and local demolition considerations, yes, they can do that.

Development Services Director Gutierrez clarified that Pomona's ordinance refers to the Secretary of Interior Standards and for one case there was a lot of discussion about distinctive features and using interior features to make those findings. She stated they discussed that the Secretary of Interior Standards state that it is up to the local jurisdiction to interpret if it is in our local ordinance.

Sarah Owsowitz replied she thinks that is correct. She stated from experience there are nationally registered properties whose interior elements are very detailed in the national registered nomination and certification forms, so if the national and state designation bodies consider interior elements you can too.

Commissioner Tomkins asked if Sarah Owsowitz has reviewed Pomona's ordinance. She stated she would look at the section under the designation criteria to determine if it says interior or exterior. She stated she doesn't see where it even refers to the Secretary of the Interior standards in that section.

Development Services Director Gutierrez replied the demolition permit is where it states that the criteria you must meet.

Commissioner Tomkins replied Section D on Historic Landmark Designation Criteria, because those are the criteria they must look at for demolitions.

Sarah Owsowitz replied correct.

Commissioner Williams stated when she was reviewing the requirements of notification of adjacent property holders in the ordinance, she did not see a requirement to notify people who are renting at a property. She asked if it would be wise to include that or whether that kind of notification is already required for demolition in general and they would be creating a redundancy or conflict in different codes.

Development Services Director Gutierrez replied the code specifically says property owner, but its best practice to include the tenants. She stated staff can do that going forward.

Chair Martin reported pre-1945 is the current standard for a property to come to the Historic Preservation Commission for demolition. She shared she attended the USC Conference on historic preservation a couple months ago and was very surprised to see how many cities throughout the world had different criteria different; 1970 and older and even a couple cities that used 1980 and older. She shared the ordinance Ad-Hoc Committee is looking to change the requirement to be pre-1970 and asked what that process would be. She asked if the requirement was an updated Winchell Survey or if it was a recommendation by this body and unanimous vote to do an amendment of the City ordinance.

Development Services Director Gutierrez responded it would be a policy recommendation to City Council. She stated City Council must direct staff resources to pursue the ordinance change. She stated she thinks that it would require some type of analysis to see how many additional homes and it could also include a CEQA analysis since it would be a zoning amendment.

Sarah Owsowitz replied she agrees with Development Services Director Gutierrez response. She stated there is nothing to preclude the Commission from recommending a different age. She stated typically fifty years is used, but the example that was given to her when she first started looking into this was the TransAmerica Tower, so the City can really pick the best way of assessing the resources in Pomona and see if, as a policy decision, the City Council would want to make the review. She noted in doing so they would have to also do environmental analysis of the impact of limiting demolition of these properties. She stated she can't say what that CEQA review would look like, but the Commission can certainly make that recommendation.

Commissioner Williams stated she doesn't have any more legal questions. She stated is it her understanding that because this is on the discussion section of the agenda, she can make a motion. She shared the ordinance Ad-Hoc has been reviewing the ordinances from other California entities and 50 years is the most frequent cut off requirement for going to the Historic Preservation Commission. She noted that appears to be based on a standard put in place by the National Register of Historic Places, as well as, it is used by the California Register of Historic Resources and it is why you see it in CEQA. She reported the State Office of Historic Places recommends a 45-year rule for instructions for recording historical resources but noted that is not necessarily the same thing as a demolition issue. She reported Sacramento, San Diego, Alameda County, San Francisco, Redlands all use a 50-year rule. She shared she spoke to Development Services Director Gutierrez realized this would be something that will require some level of review. She requested to discuss this evening or proceed with a motion to ask City Council to direct City Staff to explore changing the ordinance to protect buildings that were constructed 50 years or more (prior to the date of application).

Chair Martin asked if there was a second. Commissioner Gonzalez replied she will second.

Motion by Commissioner Williams, seconded by Commissioner Gonzalez, carried by a unanimous vote of the members present (7-0-0-0), to request City Council direct City Staff to explore changing the Historic Ordinance to protect buildings that were constructed 50 years ago or longer, prior to the date of application.

Roll Call Vote: Commissioner Kercheval – yes, Commissioner Gallivan – yes, Commissioner Gomez – yes, Commissioner Tomkins – yes, Commissioner Williams – yes, Commissioner Gonzalez – yes, Chair Martin – yes.

Sarah Owsowitz noted CEQA doesn't have the 50-year limitation.

Chair Martin confirmed there is no limitation.

Sarah Owsowitz relied there is none.

Commissioner Williams clarified her understanding was that one should examine something as a potential resource if it is 50 years or older but if it's younger than that it must have significance. She asked Sarah Owsowitz if that was not a CEQA thing.

Sarah Owsowitz replied no; essentially if it's already designated locally by the State or Federal governments, then it is a historical resource. She noted if there is information that it is potentially eligible for the State or Federal designation then one must treat it as a presuming historical resource or look at your local designation. She noted there is a provision in CEQA itself or in the guidelines that refers to the age of the building, because it's broader than buildings, it could include bridges, etc. and their age is just never documented in CEQA.

Commissioner Williams replied internet is not always correct.

Chair Martin asked what the next step is now that the Commission has made this recommendation.

Development Services Director Gutierrez replied that recommendation will be carried over to the City Council for further direction.

2. Report on demolitions.

Commissioner Gonzalez stated she was hoping to the actual dates of the homes.

Development Services Director Gutierrez replied this was staff's first pass at the list of demolition permits requested. She stated it covers the period from January 1, 2019 to May 20, 2019 totaling 33 demolitions. She noted they have not had the time or resources to dive into the details of these structures to find out when they were built.

Commissioner Gonzalez confirmed the word "final" means it is done and has been demolished.

Development Services Director Gutierrez replied yes that means the permit has been finalized yes and it's done.

Commissioner Gallivan asked if houses that have been moved have been documented at all.

Development Services Director Gutierrez replied no, not through these permits.

Commissioner Tomkins asked if the structure wasn't demolished of it just hasn't gotten it signed off, if the listing doesn't say "final".

Development Services Director Gutierrez replied it could mean both or either.

Commissioner Tomkins confirmed they don't have age information yet for those buildings.

Development Services Director Gutierrez replied not yet.

Commissioner Gomez commented she likes this, but she like to know what District they are in to see if there is a correlation.

Development Services Director Gutierrez replied, staff could google map it, but that takes time and resources. She stated any help the Commission could provide would be helpful.

Commissioner Tomkins clarified the demolitions on the report are all ministerial so there was no review for historic significant at all.

Development Services Director Gutierrez replied correct.

Chair Martin commented most of the homes on San Francisco Street are old.

Commissioner Gonzalez replied she thinks the home on San Francisco might be in the Lincoln Park district.

Chair Martin requested staff add the date of building on the report.

ITEM H:
HISTORIC PRESERVATION COMMISSION COMMUNICATION:

Chair Martin asked legal if a structure on the National Registry of a historic structure is deemed to be moved approximately 500-700 feet on the same property, does it automatically lose the National Registry title and require the City to reapply or can it keep its status through a process.

Commissioner Gallivan replied that is one of the things he will be addressing later.

Chair Martin clarified they have their attorney to listen and Development Services Director Gutierrez is taking down the notes right now and the Commission will receive a response later.

Chair Martin thanked and dismissed Sarah Owsowitz.

Commissioner Gallivan stated he provided the Commissioners and staff with a report. He requested a copy go to Acting Public Works Director Rene Guerrero and Water Resources Director Darren Poulsen, because they specifically asked for this item and it was mentioned by City Council. He shared he phoned the State Historic Preservation office and spoke with Jay Correia. He reported Mr. Correia informed him that the building (City Stables) is truly important and unique and was glad to hear the Commission was trying to save it, offering to help anyway he could. Commissioner Gallivan stated Mr. Correia seemed to be an expert in this area and informed him that he if the significance of the location and the architecture are maintained, and the relocation work was done per National Restoration Standards, it should maintain its historic status. He clarified when he spoke with Mr. Correia about significance and location, they were not talking about moving where Abraham Lincoln lived or moving a Cliff House to some other spot. He shared that Mr. Correia told him buildings are routinely moved a bit and still maintain their State and National status, therefore since the building was being kept on the stables ground it should not be a problem. Commissioner Gallivan stated Mr. Correia emphasized the work could not be done by a general contractor and must be done by an expert in the area, referring him to Reyman Brothers in Nevada or Spectra Co. in Pomona. He shared Mr. Correia also said that the EIR and CEQA is controlled largely by the City and they could cut down the requirements so it would not have to be a full CEQA review.

Chair Martin requested staff verify the information Commissioner Gallivan shared with Sarah Owsowitz.

Commissioner Gallivan shared he spoke with Mr. Correia about the high estimate and his response was that the City can control a lot of that and determine themselves what level they want and need to do it at.

Chair Martin clarified it still falls into CEQA as soon as it moves.

Development Services Director Gutierrez replied she doesn't want to get into a discussion here. She stated the questions are understood and she will relay the information to Sarah Owsowitz.

Commissioner Gallivan asked that Development Services Director Gutierrez relay this information to the proper people.

Development Services Director Gutierrez confirmed he wants her to provide this information to Rene Guerrero and Darren Poulsen.

Commissioner Gallivan replied yes and anyone else who might have anything to do with the process because we had been told that it couldn't be moved at all and the prices were high.

Chair Martin reiterated they are not having a discussion on the City Stables.

Commissioner Gonzalez asked Commissioner Gallivan to hold on having Development Services Director Gutierrez present this information. She stated there has been some additional information obtained that she would like to discuss that is relevant to what has been said in this document.

Commissioner Gallivan replied he thought they were trying to decide in a hurry and are in the process.

Commissioner Gonzalez replied they are not making any decisions until the July City Council meeting.

Development Services Director Gutierrez stated they cannot have a discussion. She asked Commissioner Gallivan if he would like to her to communication this information to the Public Works Director and Water District.

Chair Martin asked all Commissioners to hold onto this information right now.

Development Services Director Gutierrez confirmed staff will not include this in the minutes as requested by Commissioner Gallivan.

Chair Martin replied not for now.

Commissioner Tomkins asked staff to clarify with the lawyer if there is a specific process that is required to be followed with the National Register or State office to relocate a designated resource.

Chair Martin thanked Commissioner Gallivan for his comments.

Commissioner Gallivan reiterated this was something City Council asked that they provide.

Commissioner Williams reported the *For the Love of Cars* event, a benefit to the Historical Society of Pomona Valley, is scheduled for June 8, 2019 from 10:00 a.m. – 3:00 p.m. at Village at Indian Hill. She shared it is free general admission, and those bringing cars should get there about 8:30 a.m. unless they plan to be in the cruise down Holt Ave starting from the Palomares Pep Boys. She shared the Historical Society of Pomona Valley is also hosting a *Phillips Under the Stars* benefit event on Saturday, June 29, 2019 starting at 6:00 p.m. with tours of the Philips Mansion, followed by a wine and cheese reception at 6:30 p.m. and then a presentation outside from Paul Spitzzeri, Museum Director at the Homestead Museum, after the sun goes down. She stated Paul Spitzerri is a local historian and a published author who will be hosting a discussion on the Vejars and the southern portion of Rancho San Jose and the founding of Spadra and the transition from the Vejars control to the Phillips control of that area. She stated more information can be found at PomonaHistorical.org.

Commissioner Williams shared she recently heard at one-point Mr. John Clifford had written up a procedure called HABS (Historic Architectural Building Survey) that should be followed anytime a demolition is approved. She stated there is a tier system based on how much information you think there might be gained from that resource. She noted her understanding was that this was policy, rather than something codified and if something was an important historical resource but not so much, they could deny the demolition, the Commission could ask for a historic survey or report to be done. She stated this was a way to mitigate the loss of historic resources that didn't quite meet the necessary criteria or for those sites the Commission felt the benefits of taking it down outweighed the cost. She reported Mr. Clifford shared is not sure if he has a copy and stated it should be somewhere in City files. She asked staff to look for this document or someone who might know where it is because she would like to see if it's possible to bring that back.

Commissioner Gallivan asked if Commissioner Williams knew who Mr. Clifford wrote it for or the reason.

Commissioner Williams replied she doesn't have a lot of background information on it, but she can check back in with Mr. Clifford.

Development Services Director Gutierrez replied it is something they can still do without having to find the document.

Commissioner Williams commented if they could find the old document it would reduce the work to rewrite it.

Commissioner Tomkins asked for an update on the Firehouse.

Development Services Director Gutierrez replied they have an application in. She stated they are proposing a restaurant trying to restore the water tank in some way.

Commissioner Tomkins asked Development Services Director Gutierrez if the item would come back to the Historic Commission.

Development Services Director Gutierrez replied she didn't think so. She stated it was just going to go to the Planning Commission.

Commissioner Tomkins replied it is a designated historic site.

Development Services Director Gutierrez replied she would double check.

Commissioner Tomkins asked staff if they were aware of the fence around the Firehouse. She reported it doesn't comply with the City's fence ordinance. She noted there was a construction fence for a long time because there was a receiver on it, but that contract expired and now there are just poles with wires around the property.

Development Services Director Gutierrez replied the hope was that was all going to change when they did the remodel, which she thought was going to be coming soon. She stated she will check on the status of that.

Commissioner Tomkins commented they need a construction fence when remodeling and suggested they do that soon. She commented it is a historic property and if they are doing exterior renovations, she would think it would come before the Historic Preservation Commission.

Commissioner Gallivan agreed.

Commissioner Tomkins gave Development Services Director Gutierrez a document and requested the Civic Center be added to the agenda. She stated she wanted to raise the issue with the Commission as to whether they might want to initiate the designation on their own motion, because our code allows for that. She stated if they took over for Mickey Gallivan, they could address some of the concerns over getting approval from City Council.

Commissioner Gallivan reported Mickey has already turned it in once and is in the process of doing it again. He stated she wanted to discuss the deeds and things she founds because she is trying to incorporate that.

Commissioner Tomkins commented she wants to put it on the agenda so they can discuss whether there might be some benefits to having the Commission do it. She noted they have never done it before, but it is in their code, so it would be nice to know what the process would be if the Historic Preservation Commission wanted to designate.

Chair Martin requested staff add the Civic Center to the July agenda for a designated discussion.

Commissioner Tomkins requested to add Ad-Hoc Committee reports to the agenda as a general term so any committee can report if they want.

Chair Martin agree all three Ad-Hoc Committees should be added as a standing item; Tree, City Stables, HPC ordinance.

Chair Martin thanked Development Services Director Gutierrez for being on top of every request. She commented it is shocking to her how has gotten done without even having a Planning Manager. She shared since 2016 when she retired as a councilwoman, she asked if her mail could be brought someone from the Administration Office to Commission meetings, but unfortunately it immediately stopped and she never got another piece of mail until today. She stated she doesn't know how it happened but its here now and she is really impressed.

Commissioner Gomez requested to have a Spanish speaking interpreter that it doesn't come from the dais or the group at the next meeting if they are going to have the group that was here today. She shared there was a loss of some things that were said, and it would be fairer.

Development Services Director Gutierrez replied yes.

ITEM I:
DIRECTOR COMMUNICATION:

This item was moved to the top of the agenda.

Development Services Director Gutierrez reported staff wanted to provide an update on the Downtown Pomona Specific Plan that is going to the Planning Commission. She shared staff will give a brief overview of the historical aspects included.

Commissioner Jennifer Williams arrived at 6:35 p.m.

Ata Khan, Senior Planner, provided an update on the Downtown Pomona Specific Plan.

- A few years back the City of Pomona received a Transit Oriented Development grant from Metro to update the Downtown Pomona Specific Plan.
- Staff developed four key goals to accomplish the update.
 1. Reconcile boundaries that currently overlap with the Corridor Specific Plan (adopted in 2014).
 2. Implement the goals and policies of the 2014 General Plan, specifically, policies that pertain to historic preservation, design, density, transects.
 3. Meet Metro grant obligations to advance a vision of transit-oriented development via a host of goals Metro has outlined in their transit supportive toolkit
 4. Improve the usability of the document with an eye towards the applicant (developer, community) through a reorganization into the chapters.
- **Existing Boundary Summary.**
 - City Hall is currently located in the Downtown Pomona Specific and there are various zones throughout stretching from Mission Blvd., to Holt Ave. and along Garey Ave.
 - The Pomona Corridor Specific Plan Boundary removed a big chunk of the downtown and took over Mission Blvd. and Holt Ave. in 2014 so now there is now dual zoning which creates confusion for developers on which standards apply, as well as, it is not easy to set conditions of approval.
 - Staff have recommended cleaning those boundaries up to exclude the Corridor and the Civic Center. Here is a summary of the changes:
 - Garey Ave. still runs as the spine of Downtown Pomona.
 - West and East are White Avenue and Towne Avenue
 - To the north is Center Street as the new northern boundary, instead of Holt Ave.
 - To the south is Fourth Street as the southern boundary, instead of Mission Blvd.
 - The YMCA and AMOCA buildings which are currently in the Corridor would be brought into the Downtown.
 - The Pomona Packing Plant, the artists lofts and Sanctum brewing would be retained because staff didn't want them to be illegal non-conforming entities
 - Civic Center Plaza will be designated as open space, as a zone change to the OS zone.
 - Memorial Park and Centennial Park in Downtown are currently zoned the Downtown Plan; however, staff are recommending changing those to open space which is more appropriate.
 - This creates a relationship between the Corridors and Downtown. The Corridor will run independently with its zoning along with the Mission Corridor and constitute the geographical new identity of Downtown Pomona.
- Within Downtown Pomona they have implemented districts. Some are carrying over from the existing plan, but staff have streamlined into four key districts and cleaned them up.
 - On the edges is the RMF zone, running from Park to White.
 - Staff are proposing extending the CBD zone all the way to Parcels, including the armory.
 - The RMF would function as residential multi-family. It would be on the northeast edge along Center and Towne. Those would be lower density and meant to be a transition zone between the edges of Downtown, which across the street on White Ave become the base zone, regular zone, with single-family or multi-family. It is meant to be a step down in density from the core.
 - The highest densities would be found in MUHDR (mixed-use high density residential). Staff envision this as a commuter residential zone to support the Metrolink and student housing.
 - The Mixed-Use Central Business District would be the key core of downtown, with the highest densities, supporting ground floor retail, artist lots, etc.
 - Mixed Use Institutional, also student housing meant to support Western university. Senior Planner Kahn shared there have been conversations about Western U's master plan and about their vision for the next 10 years which includes increasing their capacity to serve the area and envisioning more student related ancillary retail uses (food and drink) to keep the student population in Pomona.
- **Reorganization** of the chapters includes:
 - Introduction

- Chapter 2 The Private Realm includes anything on private property. A developer or an applicant who owns property downtown would be looking at Chapter 2 to determine what they can do with their property in terms of form, development standards, uses, temporary uses and signage.
- Chapter 3 The Public Realm includes the purview of the Public Works Department, the right of way, sidewalks, streetscape, street improvements tailored to Downtown Pomona, includes a new Placemaking Chapter
- The Implementation Chapter is required includes economic development goals. There is recent legislation about opportunity zones, and there are four in the City of Pomona. One of those zones overlaps with Downtown Pomona so there is language about business investment opportunities and how to implement the vision of the Downtown Pomona Specific Plan over the next 10-15 years.
- **The Placemaking Chapter** is new and based on community conversations to put forward an intentional subsection that talks about how the community can help shape Downtown Pomona as a distinct place. That includes historic considerations and historic landmarks and historic preservation.
 - In the Historic Preservation section, there is an intent statement for future development in this mixed-use high-density area, to remain sensitive to existing historic resources and for projects to be designed in a way that highlights the attributes of the historical nature of downtown, when feasible.
 - The parcels in downtown Pomona would still entirely be regulated by the existing zoning code historic preservation ordinance 580913.
 - Staff are not adding any new regulatory schemes that aren't identified within that chapter already. If there is a pre-1945 structure or a proposed landmark it would have to come forward before the Historic Preservation Commission.
 - A map as displayed identifying some of the existing landmarks; The YMCA, the Rail Station, the Armory, 7th day Adventist Church, the Masonic Temple, and the Fox Theater. Staff shared it is not meant to be a static map, it is meant to be amended with other landmarks are identified. The 3.42 acres of Edison Historic District, that is a registered district in our Downtown, is identified as protected, but staff also called out some areas for consideration, like the historic downtown between Main and Thomas, Second Street Antique Row, and the Fox Theater area. By identifying their importance as potentially significant and historically relevant a conversation can be had about sensitivity towards the streetscape, etc. when projects come forward.

Chair Martin commented the Fox Theater is a nationally registered and she is not seeing the square designating it as so.

Senior Planner Khan replied its number six.

Chair Martin reported the Milliard Sheets planters on Second Street are designated and there is no notation.

Senior Planner Khan asked if the Millard Sheets were nationally or locally designated.

Chair Martin replied she doesn't know that, just that they are designated.

Senior Planner Khan replied staff will research that.

Development Services Director Gutierrez asked if they are a state historic landmark.

Chair Martin confirmed yes, all the planters on Second Street are designated.

Chair Martin reported Mike Schowalter was the one who did the application and suggested staff reach out to him. She stated the president of the Historical Society of Pomona Valley has his contact number.

Senior Planner Khan continued with the presentation.

- **Policies.** Staff doesn't have new regulatory frameworks in place and the base code will still apply, however, staff did feel it was important to advance five principals related to historic preservation for grant seeking and implementation of the Downtown. These are meant to round out the significant elements of the placemaking vision for Downtown Pomona.
 1. Pre-1945 structures identified as contributing in the City of Pomona historic resources survey, may require additional historic surveys to be conducted by a Certified Architectural Historian at the discretion of the Development Services Director.

Commissioner Tomkins asked when the most recent survey of the downtown area was.

Senior Planner Khan replied 2006.

2. The City of Pomona should consult local historic groups and other interested stakeholders in establishing a list of historic resources that should be incorporated into a broader placemaking vision for Downtown Pomona.
 3. That the design of new development located in downtown Pomona neighborhoods with existing historic housing stock would consider incorporating those principals of the houses (i.e craftsman bungalows) or if there is a multi-family housing complex coming in to be sensitive to that architectural style and try to incorporate that as much as possible.
 4. Whenever possible existing historic landmarks should be opened to the general public through events and activities that would increase community exposure to unique landmarks and history. The intent is to highlight the key features that make downtown unique and part of that is the existing landmarks. A placemaking strategy that does involve historic resources should be diverse and inclusive and represent the history and heritage of all people for downtown Pomona.
 5. Updated Historic Signage provisions specifically that for landmarks and districts. If there was a new sign proposed on one of the buildings in that district it would explicitly call out a minor Certificate of Appropriateness, not just a regular sign permit. This is a new pathway for repurposed signage. Currently, signage for a business that no longer exists is prohibited, but folks have been interested in incorporating older signage or repurposing signs bringing them into downtown for aesthetic or cultural value to increase the streetscape.
- **Conclusion.** There are four goals and a grant obligation to Metro. Staff are currently giving Commission updates, tonight to the Historic Preservation Commission and back to the Planning Commission in two weeks. The first was to Planning Commission in February, the draft then went through multiple revisions, staff did a circulation of the draft and open house at the end of May. Staff are looking towards the path of adoption in July with the City Council. The pieces of this Metro Plan were picked up in January 2019, however, the grant expired in December 2018, but staff were able to receive an extension until June 30, 2019. Staff are working weekly with the Metro Department and they are aware and excited about the progress being made, but there is a timeline. Staff took the opportunity over the last 4-5 months to bring forward more innovative policies on all fronts.

Commissioner Tomkins requested Senior Planner Khan put the historic sites map back up. She asked if that was meant to be all inclusive.

Development Services Director Gutierrez replied there are the landmark structures staff has.

Commissioner Tomkins asked if the Mayfair Hotel landmarked.

Commissioner Gonzalez replied she thought it was registered.

Debra Clifford replied the Mayfair has both State and National, noting she texted somebody to confirm.

Development Services Director Gutierrez replied she will add that.

Chair Martin asked Debra Clifford to text Mike Schowalter about the Millard Sheets planters.

Debra Clifford replied she has but he hasn't answered yet.

Senior Planner Khan replied they will add the Mayfair Hotel.

Chair Martin commented she thought the white building that's just west of Main Street on the south side that Pomona sold two years ago to the Mayan Company was possibly registered at one time, but she can't think of the name of it.

Someone called out The Vault. Chair Martin agreed the Vault used to be registered.

Commissioner Kercheval thanked staff for the presentation. He stated he likes the historic signage piece and was wondering if staff could elaborate where they took their cues from. He stated he thinks it's a great idea in a sense of continuing in the fabric of our streetscape and improving it.

Senior Planner Khan replied some of the cues came from conversations with Downtown Pomona owners. He noted for the first time they have a new sign section specific to downtown. He shared he only highlighted the historic elements but there is also a new creative sign permit option, to be used if there a developer (on private property) wanted to put forward a new sign that doesn't quite meet any of Pomona's standards. He shared that developer could get a discretionary action from a Commission to review and approve. He noted there are now pathways to allow sandwich boards and A-frame signs that are currently prohibited. He stated it makes sense for downtown in terms of walkability and activating the street.

Commissioner Gomez asked about #3, The Armory right across from that is Memorial Park. She asked if staff had ideas of what to do to revitalize it or if it will be left the way it is.

Senior Planner Khan replied the mixed-use central business district with a mix of ground floor retail, residential, artist supportive uses, includes the Armory parcels and then Memorial Park. Staff are envisioning the Armory area being a part of this Central Business District in terms of a long-term vision for development and density. To the west of that where the trucking facility that currently exists and everything going to the south of it to Fourth Street staff envision long term a multi-family development with a range of different housing types that are lower density than everything east to it. He stated they don't have any specific plan for the Armory outlined in this, but the Armory would now be zoned mixed use central business district.

Commissioner Gomez shared she went by Memorial Park on Memorial Day after the Children Festival and what was disappointed by what she saw. She reported there was graffiti, things that shouldn't be there, some of the base on the flags needed paint, and people have etched on the Ablyss. She commented on Memorial Day it should have been pristine or there should have been an activity to denote the recognition of what that day means to that area.

Chair Martin asked Development Services Director Gutierrez stated she will relay those comments to the Parks Department.

Commissioner Gomez replied the City has a lot of parks, but this is a park right is right in downtown. She shared she had an uncle that was killed in Korea that is on the memorial and was saddened to see. She asked to see a cultural item brought forward for people to get an understanding of what is in Pomona.

Commissioner Tomkins expressed concerns that the Downtown Specific Plan references the pre-1945 structures and stated that might require further analysis. She asked if the document would have to be amended if the City changes the Historic Preservation ordinance to expand that pre-1945 date or if they could be linked together.

Development Services Director Gutierrez replied ideally staff would do a minor amendment, but ultimately the Historic Preservation ordinance would supersede.

Commissioner Williams asked who is responsible for these the list of five principals. She commented she is glad to see this incorporated into the plan for the downtown, but is wondering if when it says that "any new development should consider incorporating the architectural principals of these houses..." (i.e. craftsman bungalows) if that is just a conversation with Planning.

Senior Planner Khan replied that's correct it would be a conversation when an applicant comes forward with a design concept that would require development plan review. He stated with respect to some of these other policies and implementation, the last chapter is where staff could identify responsible parties. He stated for the pre-1945 and the design principles the responsible party would be the Planning Division. He noted the Historic Preservation Commission or local historic groups would be responsible for implementing some of the other policies.

Commissioner Williams stated #4 states historical landmarks should be opened to the general public, however, she wants to know who is going to be doing that and planning those kinds of activities.

Development Services Director Gutierrez replied it would be the individual property owners. She stated it is a general emphasis policy to encourage that. She stated staff are trying to set the vision that the downtown be activated and lively. She noted staff want Pomona's historic resources to be available and this policy is setting that tone.

Commissioner Williams asked what kind of measures of accountability exists there if people do not comply with those things.

Senior Planner Khan replied the plan is broken into both standards and guidelines. The standards are the "shalls" and "musts" and those things require compliance and if one can't comply, they would need to seek a variance. He stated the guidelines are just guidelines to encourage at design review a back and forth conversation. He noted they are not a mandate the way a zoning code requirement is, however, it is important to include particularly in the placemaking chapter because when residents or stakeholders come forward wanting to do something downtown staff can point to the document for encouragement rather than the plan just being silent. He stated applicants would be held accountable to the standards not the guidelines.

Commissioner Gallivan shared staff they have received a lot of good press about the hopes for the City and when he sees the specific details it makes him very glad there is such a good staff right now.

Chair Martin thanked staff and reiterated they need to get the information about Second Street because she is shocked it is not in file.

Senior Planner Khan replied they will look at it. He noted part of tonight's purpose was getting those comments. He encouraged other comments between now and adoption.

Chair Martin confirmed the staff had the list of all the nationally registered sites.

Senior Planner Khan and Development Services Director Gutierrez replied yes.

ADJOURNMENT:

Chair Martin adjourned the meeting at 9:40 p.m. to the next regularly scheduled meeting of the Historic Preservation Commission on July 3, 2019 at 6:30 p.m. in the City Council Chambers.

Anita Gutierrez, AICP
Development Services Director

Jessica Thorndike, Transcriber
The minutes of this meeting are filed in the Planning Division of City Hall, located 505 South Garey Avenue, Pomona, CA, 91766.