

HPC RESOLUTION NO. XX-XXX

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA-12513-2019) TO PERMIT THE REMOVAL OF ONE (1) COAST LIVE OAK TREE ON AN EXISTING SINGLE-FAMILY PROPERTY LOCATED AT 251 LINCOLN AVENUE (8339-016-017) WITHIN THE LINCOLN PARK HISTORIC DISTRICT.

THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF POMONA DOES RESOLVE AS FOLLOWS:

WHEREAS, the applicant, Allison McCurdy and Kerry Dowling, submitted an application for Major Certificate of Appropriateness (MAJCOA-12513-2019) to allow for the removal of one (1) Coast Live Oak tree on an existing single-family property located at 251 Lincoln Avenue;

WHEREAS, the subject property is identified in the Historic Resources Survey as a “contributing” structure, and is identified as contributing to the Lincoln Park Historic District, which was designated as a historic district by the Pomona City Council in 1998;

WHEREAS, the removal of mature significant trees within the historic district require the Historic Preservation Commission to approve a Major Certificate of Appropriateness prior to the issuance of a permit;

WHEREAS, the residential structure at the site was built in the early 20th century Period Craftsman Bungalow style of architecture;

WHEREAS, the removal of a mature significant tree on the subject property will not impact the architectural features consistent with the early 20th century Craftsman Bungalow architectural style of the existing dwelling;

WHEREAS, the Oak tree proposed for removal is located on the north-east corner of the rear property and is not visible from the historic streetscape;

WHEREAS, the Historic Preservation Commission must make findings as described in Section .5809-13.F.6 of the Zoning Ordinance to approve a Major Certificate of Appropriateness;

WHEREAS, the Historic Preservation Commission of the City of Pomona, has, after giving notice thereof as required by law, held a public hearing on November 6, 2019 concerning the requested Major Certificate of Appropriateness (MAJCOA 12513-2019); and

WHEREAS, the Historic Preservation Commission has carefully considered all pertinent testimony and the staff report offered in the case presented at the public hearing.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Historic Preservation Commission of the City of Pomona, California, as follows:

SECTION 1. The Historic Preservation Commission hereby determines that, pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project would be categorically exempt under Article 19, Section 15304 (Class 4 – Minor Alterations to Land).

SECTION 2. Section .5809-13.F.6 of the Zoning Ordinance requires the Historic Preservation Commission to make findings to approve a Major Certificate of Appropriateness. The Historic Preservation Commission hereby makes the following findings:

- a. *The proposed change will not adversely affect any significant historical, cultural, architectural, or aesthetic features of the concerned property or the historic district in which it is located.*

The proposed oak tree removal will not adversely affect any significant historical, cultural, architectural, or aesthetic features of the concerned property or the historic district in which it is located as the tree is not visible from the historic streetscape. In fact, the proposed project will add to the aesthetic value of the Lincoln Park Historic District by conserving a contributing structure.

- b. *The proposed change is compatible in architectural style with the existing adjacent contributing structures in an historic district.*

The proposed oak tree removal does not adversely change the architectural styles of the existing adjacent contributing structures in the Lincoln Park Historic District. The Oak's location is adjacent to the rear property lines of surrounding properties, thus limiting impact on architectural features to neighboring properties and their structures.

- c. *The proposed change is consistent with the architectural style of the building as specified in Section .5809-13.F (5) of the Zoning Ordinance.*

The proposed oak tree located on the northeast corner of the rear property line will not alter or detract from the existing buildings on the site or the surrounding neighborhood. The remaining landscaping on the property will not be degraded by the loss of the tree.

- d. *The scale, massing, proportions, materials, textures, fenestration, decorative features, and details proposed are consistent with the period and/or compatible with adjacent structures.*

The proposed oak tree removal would not impact the historic architectural style of the existing structures on the subject property. Rather, removal of the Oak tree would assist in the preservation of the original, Craftsman Bungalow style detached garage adjacent to the

subject oak tree. As documented in the Major Certificate of Appropriateness application, mitigation efforts were undertaken to preserve the structural integrity which has thus, proven ineffective. Removal of the oak tree would prevent the negative impacts on original roof eaves, foundation, door/window framing, and siding of the adjacent garage.

SECTION 3. The Historic Preservation Commission hereby approves the Major Certificate of Appropriateness (MAJCOA 12513-2019) for removal of one (1) Coast Live Oak tree with the following conditions:

1. The subject property shall be developed and/or used in the manner requested and shall be in substantial conformity with the plans approved by the Historic Preservation Commission on November 06, 2019, in accordance with the revisions and/or additional conditions specifically required in this resolution of approval. Any major modifications to the approved project plans shall be reviewed and approved by the Historic Preservation Commission as part of a modification to the approved plans. Any minor modifications that do not affect the overall intent of the approved project, may be reviewed and approved by the Planning Division Manager.
2. The removed oak tree shall be replaced off-site with a 24-inch box Coast Live Oak (*Quercus Agrifolia*), as appropriate with surroundings, off-site, subject to the review and approval of the Development Services Manager and City Arborist.
3. The replacement tree, on a one-to-one basis, shall be donated to the City or their monetary value may be paid to the City to the satisfaction of the City Arborist. Any monies paid shall be used to purchase an oak tree for planting within the City in a location recommended by the City Arborist.
4. The City shall plant the replacement tree in accordance with the above stipulated conditions, within twelve (12) months of the approval date, November 06, 2019.
5. If the new off-site replacement oak tree dies within one year of planting, the replacement tree shall be replaced with a 24-inch box Coast Live Oak (*Quercus Agrifolia*) until it grows to a diameter of at least eight (8) inches, as measured from 4.5 feet above the mean natural grade. If the replacement tree dies within one year of planting, it shall be replaced until a tree establishes itself and lives for a minimum of one (1) year.
6. In accordance with Section 5809-13.G, written appeals shall be filed with the Planning Division within twenty (20) days of the decision on the application for a certificate of appropriateness.

SECTION 4. The Secretary shall certify to the adoption of this Resolution and forward the original to the City Clerk.

APPROVED AND PASSED THIS 6TH DAY OF November, 2019.

DEBRA MARTIN
HISTORIC PRESERVATION COMMISSION
CHAIRPERSON

ATTEST:

ANITA D. GUTIERREZ, AICP
HISTORIC PRESERVATION COMMISSION
SECRETARY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF POMONA)

AYES:
NOES:
ABSTAIN:
ABSENT:

Pursuant to Resolution No. 76-258 of the City of Pomona, the time in which judicial review of this action must be sought is governed by California Code of Civil Procedure Sec. 1094.6 C.C.P.