



---

---

# CITY OF POMONA COUNCIL REPORT

---

---

February 24, 2020

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Anita D. Gutierrez, Development Services Director

**SUBJECT: APPEAL OF MAJOR CERTIFICATE OF APPROPRIATENESS NO.  
12883-2019**

---

## **RECOMMENDATION:**

Staff recommends that the City Council deny the appeal and adopt the following resolution (Attachment No. 1):

**RESOLUTION NO. 2020-20 - A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF POMONA, CALIFORNIA, DENYING MAJOR  
CERTIFICATE OF APPROPRIATENESS (MAJCOA 12883-2019) TO  
ALLOW FOR THE DEMOLITION OF A PRE-1945 SINGLE-FAMILY  
DWELLING, DETACHED GARAGE, AND POULTRY HOUSE ON A  
PROPERTY LOCATED AT 877 W. GRAND AVENUE**

## **EXECUTIVE SUMMARY:**

The matter before the City Council is an appeal of Major Certificate of Appropriateness (MAJCOA 12883-2019) by the project applicant. On January 15, 2020, the Historic Preservation Commission (HPC) denied the applicant's request to demolish a pre-1945 single-family dwelling, garage, and poultry house to facilitate a multiple-family development project. On February 4, 2020, the applicant filed an application to appeal the decision of the HPC (Attachment No. 2). A denial of the appeal would uphold the Commission decision.

## **FISCAL IMPACT:**

There will be no impact to the General Fund.

## **PUBLIC NOTICING REQUIREMENTS:**

Pursuant to Section .5809-13, of the City of Pomona Zoning Ordinance (Historic Preservation), a notice of public hearing is required to be sent to the applicant and mailed to all owners of property located directly adjacent to and directly across the street from the subject site, at least ten days

prior to the date of the public hearing. A notice was sent to the applicant and adjoining property owners on February 12, 2020 (Attachment No. 3).

### **PREVIOUS RELATED ACTION:**

On December 4, 2019, the HPC conducted the first of two public hearings for Major Certificate of Appropriateness (MAJCOA 12883-2019), a request to allow the demolition of a pre-1945 single-family dwelling, detached garage, and poultry house located at 877 W. Grand Avenue (Attachment No. 4). Discussion by the HPC at the first public hearing centered on the City's housing needs, the fact that the single-family dwelling on site was identified as non-contributing in the 1993 Historic Resources Inventory Survey, the historical significance of the existing single-family dwelling, the notion of "demolition by neglect", and exploring recommendations for architectural style for new development that reflect the existing structures. After a lengthy discussion, the HPC kept the public hearing open and continued the item to its next scheduled meeting of January 15, 2020 to allow Commissioners time to research possible alternative options to provide to the applicant. At the January 15, 2020 meeting, the HPC further discussed the significance of the architectural style and features of the single-family dwelling and garage and found them to embody minimal traditional architectural style. The HPC voted to deny MAJCOA 12883-2019 on a 5-1-0-0 vote.

### **DISCUSSION:**

Staff originally recommended that the HPC allow the demolition of a pre-1945 single-family dwelling and detached garage but deny the demolition of the poultry house. Staff recommended approval of the demolition of the single-family dwelling and garage based on Section .5809-13. (D) – Historic Landmark Designation Criteria, in that the Pomona Historic Resources Inventory Survey conducted in 1993 identified the subject dwelling as non-contributing with a minimal traditional architectural style. Structures identified in the survey as non-contributing are defined as buildings which do not possess architectural character. The subject dwelling was identified as non-contributing to the historic streetscape, and the neighborhood in which the buildings are located are not identified in the Inventory as a potential Historic District.

The City of Pomona Historic Resources Survey also did not identify the single-family dwelling in its survey of structures along Grand Avenue eligible for local landmark status, eligible for listing in the California Register of Historic Resources, or eligible for listing in the National Register of Historic Places. Moreover, the subject dwelling was not identified with a persons or specific events significant in local, state, or national history, nor is the subject dwelling the work of a notable builder, designer, landscape designer or architect. Thus, the dwelling was not identified as a potential candidate for local, state, or national landmark status.

The Pomona Historic Resources Inventory Survey does not identify accessory structures, however, according to City records, the construction of the poultry house occurred ten years prior to the construction of the single-family dwelling and garage, thereby classifying it as the primary structure on-site between 1927 and 1937.

It is reasonable to conclude that the poultry house, which existed as a primary use of the property between 1927 and 1937, operated during a historically significant period of independent poultry production in the Pomona Valley and nationwide, prior to the industry's commercialization,

technological advancement in production, and eventual decline in small business operators, and the City's establishment of poultry production as non-conforming in residential zones. Sources of evidence identified by staff independent of City of Pomona resources are identified in the accompanying Works Cited in the attached Staff Report from January 15, 2020 (Attachment No. 4).

Staff recommended denial of the demolition of the poultry house based on the provided evidence and found that the poultry house met the following finding for single historic landmark designation:

*It is one of the few remaining examples of the City of Pomona, region, state, or nation possessing distinguishing characteristics of an architectural or historical type of specimen.*

On January 15, 2020, the Historic Preservation Commission concluded that based on staff's recommendation to deny the demolition of the poultry house due to the historical significance, the single-family dwelling and garage were inherently connected to the poultry house and deemed to have historical significance. Additionally, the Historic Preservation Commission also found that the single-family dwelling, though identified in the 1993 Historic Inventory Resource Survey as non-contributing, embodied distinctive characteristics of minimal traditional architectural style (Attachment No. 5).

The applicant is appealing the denial of the demolition of the garage and poultry house only, based on concerns for potential development of the property. During discussion at the December 4, 2019 and the January 15, 2020 HPC meetings, the applicant raised concerns with meeting the required minimum density for the R-3 Medium Density Multiple Family Zone, should the buildings remain. Citing that his development potential would be limited because in order to build out the lot in accordance with zoning requirements the site would require a minimum of five units. This would require the construction of four new units with enclosed two-car garages in addition to the existing single-family dwelling, which would be difficult with all three structures having to remain on site. The applicant also cited that the existing driveway approach along Grand and White Avenue is legally a separate parcel and is currently in building plan check to develop three residential units, rendering the garage and poultry house without future access. The applicant's filed letter of appeal also notes public safety concerns regarding the condition of the poultry house as it currently exists without a tied foundation.

#### **APPLICABLE CODE SECTION:**

Pursuant to Historic Preservation Section .5809-13.G of the Pomona Zoning Ordinance, which establishes appeal procedures for a Major Certificate of Appropriateness, decisions of the Historic Preservation Commission may be appealed to the City Council.

#### **ENVIRONMENTAL IMPACT:**

Pursuant to the provisions of California Environmental Quality Act (CEQA) (Public Resources Code, Section 21084 et. seq.), no environmental determination is required for projects that will be rejected or disapproved by a public agency. However, should the proposed project be approved for demolition by the City Council, the proposed project meets the criteria for a Categorical Exemption

under Article 19 Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines in that the proposed project consists of the demolition and removal of one single-family dwelling and two accessory structures.

**ALTERNATIVE(S):**

The City Council has the following alternatives:

- 1) Amend the draft resolution and to approve Major Certificate of Appropriateness (MAJCOA 12883-2019), allowing the demolition of the garage and poultry house and denying the demolition of the single-family dwelling.

Prepared by:

---

Anita D. Gutierrez, AICP  
Development Services Director

**ATTACHMENTS:**

- Attachment No. 1 – Draft City Council Resolution No. 2020-20  
Attachment No. 2 – Appeal Letter Submitted by Applicant dated February 4, 2020  
Attachment No. 3 – Public Hearing Notice  
Attachment No. 4 – Historic Preservation Commission Public Hearing Report (with attachments) and Resolution 20-001 dated January 15, 2020  
Attachment No. 5 – January 15, 2020 HPC Meeting minutes