



505 S. Garey Ave  
Pomona, CA 91766

# City of Pomona

## Historic Preservation Commission

### Action Minutes

*Chairperson Ann Tomkins  
Vice-Chairperson Tamara Gonzalez  
Commissioner Debra Martin  
Commissioner Jennifer Williams  
Commissioner Alice R. Gomez  
Commissioner James Gallivan  
Commissioner Jim Kercheval*

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Wednesday, September 2, 2020

6:30 PM

Via Video Conference

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#### **CALL TO ORDER**

Chairperson Tomkins called the Historic Preservation Commission meeting to order at 6:32p.m. Via Video Conference.

#### **PLEDGE OF ALLEGIANCE**

Commissioner Gallivan led the Pledge of Allegiance.

#### **ROLL CALL**

Present: Chairperson Ann Tomkins  
Vice-Chairperson Tamara Gonzalez  
Commissioner Jennifer Williams  
Commissioner Alice R. Gomez  
Commissioner James Gallivan  
Commissioner Jim Kercheval

Absent: Commissioner Debra Martin

Staff Present: Anita D. Gutierrez, Development Services Director  
Gustavo N. Gonzalez, Planning Manager  
Alex Jimenez, Assistant Planner  
Eunice Im, Assistant Planner  
Michael Sledd, Parks and Facilities Manager & City Arborist

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**PUBLIC COMMENT**

Pomona Heritage submitted a letter opposing any changes to the ordinance pertaining to windows in the Historic District, which was an item discussed on the agenda on August 5, 2020.

Alberto Alvarez a residence of Pomona purchased a home in the Historic District about three years ago. He stated that the previous owner changed the windows of the property without obtaining a permit. He mentioned that he received a letter from the city asking him to change his windows to original wood, but he does not have the money to make the changes.

Deborah Clifford, President of the Historical Society of Pomona Valley, submitted a letter opposing changes to the window portion of the Historic ordinance.

**CONSENT CALENDAR****1. Approval of Draft Historic Preservation Commission Action Minutes meeting of August 5, 2020.**

**A motion was made by Commissioner Gallivan, seconded by Commissioner Williams, carried by a unanimous vote of the members present (6-0-0-1) to approve the Action Minutes in one motion as amended.**

Chairperson Ann Tomkins – yes; Vice-Chairperson Tamara Gonzalez – yes; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – yes; Commissioner Kercheval – yes.

**OPPOSITION:** None

**IN SUPPORT:** None

**DISCUSSION TIME:** 4 minutes (6:41 p.m. to 6:45 p.m.)

**PUBLIC HEARING ITEMS****1. Major Certificate of Appropriateness (MAJCOA 13895-2020).**

**Location:** 512 E. McKinley Avenue

**Request:** A Major Certificate of Appropriateness (MAJCOA 13895-2020) to allow the construction of a new accessory structure (two-car garage) at the rear of a property located in the Lincoln Park Historic District.

**Environmental Determination:** Pursuant to the provisions of the California Environmental Quality Act, this project meets the requirements for a Class 3 (New Construction of Small Structures) pursuant to Article 19, Section 15303.

**Resolution No. 20-008**

**A motion was made by Commissioner Gomez, seconded by Commissioner Kercheval, carried by a 5 “yes” votes, 0 “no” vote and 1 “recused” vote (5-0-0-2) to approve Major Certificate of Appropriateness (MAJCOA 13895-2020) with a condition that all windows shall be double-hung wood windows to match the existing home.**

Chairperson Ann Tomkins – recused\*; Vice-Chair Tamara Gonzalez - yes; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – yes; Commissioner Kercheval – yes.

\*Commissioner Tomkins recused from this item.

**OPPOSITION:** None

**IN SUPPORT:** The applicant stated via comment box support of the project.  
Mr. Ramos, architect, spoke in support of the project.  
Dan McIntire spoke in support of the project.  
Steve Goya stated via comment box support of the project

**DISCUSSION:** 12 minutes (6:46 p.m. to 6:58 p.m.)

Dan McIntire stated that the architect has done a great job and he supports the project. He asked a question, “Is the window on the west side a wood double hung window”. The response was “yes”.

Mr. Ramos the architect thank Alex for her help and he was there to answer any questions.

## **2. Major Certificate of Appropriateness (MAJCOA 14011-2020).**

**Location:** 960 N. Eleanor Street

**Request:** A Major Certificate of Appropriateness (MAJCOA 14011-2020) to allow the reconstruction of a partially fire-damaged residential structure located in the Lincoln Park Historic District.

**Environmental Determination:** Pursuant to the provisions of the California Environmental Quality Act, this project meets the requirements for a Class 31 (Historic Resource Restoration/Rehabilitation) pursuant to Article 19, Section 15331.

### **Resolution No. 20-009**

**A motion was made by Vice-Chairperson Gonzalez, seconded by Commissioner Williams, carried by a 6 “yes” votes and 0 “no” vote (6-0-0-1) to approve Major Certificate of Appropriateness (MAJCOA 14011-2020) as presented by staff with the recommendation to use a low-profile roof vent to match with the roofline and the condition that the first floor eave return to its original design, intend and style.**

Chairperson Ann Tomkins – yes; Vice-Chair Tamara Gonzalez - yes; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – yes; Commissioner Kercheval – yes.

**OPPOSITION:** None

**IN SUPPORT:** The applicant spoke in support of the project.  
Raymond Ameri, architect, spoke in support of the project.  
Dan McIntire spoke in support of the project.

**DISCUSSION:** 38 minutes (6:59 p.m. to 7:37 p.m.)

Raymond Ameri, architect, stated that the plan is to bring everything back to its original condition and he will not make any changes. He mentioned that the rafters on the backside of the house were all similar to the front of the house and he will make them all the same.

The applicant mentioned that the shingles located in the front of the house would be removed and replaced to its original condition.

Dan McIntire spoke and said it looks like a great project and applauded them for all their efforts.

### **3. Single Historic Landmark Designation (SHISTORIC 12980-2019).**

**Location:** 270 Heritage Court

**Request:** A Single Historic Landmark Designation (SHISTORIC 12980-2019) request for the property located at 270 Heritage Court in the R-1-PD, Low Density Single Family Planned Development Zone.

**Environmental Determination:** Pursuant to CEQA Guidelines, this action is not a project. Section 15060 of the Guidelines exempts actions from CEQA that would not result in either and indirect or direct impact on the environment and that do not meet the Section 15378(a) definition of a project.

#### **Resolution No. 20-010**

**A motion was made by Commissioner Williams, seconded by Commissioner Gomez, carried by a 6 “yes” vote and 0 “no” vote (6-0-0-1) to approve resolution recommending City Council approval for the Single Historic Landmark Designation (SHISTORIC 12980-2019).**

Chairperson Ann Tomkins – yes; Vice-Chair Tamara Gonzalez - yes; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – yes; Commissioner Kercheval – yes.

**OPPOSITION:** None

**IN SUPPORT:** The applicant spoke in favor of the single historic landmark designation.  
Dan McIntire spoke in favor of the single historic landmark designation.  
Debra Clifford, President of the Historical Society, spoke in favor of the single historic landmark designation.

Megan Gearhart, President of Pomona Heritage, submitted a letter in favor of the single historic landmark designation.

**DISCUSSION:** 21 minutes (7:38 p.m. to 7:59 p.m.)

Eli Lozano, applicant, thank Alex for all her work.

Dan McIntire spoke and recommended the designation of this house. He stated that this house is a wonderful example of transitional craftsman and victorian style and thank the Lozano family for all of their efforts.

Debra Clifford, of the Historical Society, recommended approval of this property and mentioned that the inside of the house is magnificent.

#### **4. Mills Act Program Certificate of Appropriateness (MILLS 13788-2020).**

**Location:** 219 Garfield Avenue

**Request:** A Mills Act Program Certificate of Appropriateness for a Restoration, Rehabilitation, and Preservation Plan that includes a schedule of projects to be completed during the first ten years following execution of a Mills Act contract.

**Environmental Determination:** Pursuant to the provisions of the California Environmental Quality Act, this project is categorically exempt per Section 15331.

#### **Resolution No. 20-011**

**A motion was made by Commissioner Kercheval, seconded by Chairperson Tomkins, carried by a 4 “yes” votes, 0 “no” vote and 2 “recused” votes (4-0-0-3) to approve Mills Act Program Certificate of Appropriateness (MILLS 13788-2020) as proposed by staff and recommend City Council approval of the Mills Act contract.**

Chairperson Ann Tomkins – yes; Vice-Chair Tamara Gonzalez – recused\*; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – recused\*; Commissioner Kercheval – yes.

**OPPOSITION:** None

**IN SUPPORT:** The applicant spoke in support of the project.

Debra Clifford, President of the Historical Society, stated via comment box support of the project.

Dan McIntire spoke in support of the project.

**DISCUSSION:** 17 minutes (8:00 p.m. to 8:17 p.m.)

\*Commissioner Gonzalez and Gallivan recused from this item.

William Crisafi, applicant, stated that the reason he is not replacing his river rock foundation

with a new one is that it is completely invisible either below the grade or cover by stucco. He also mentioned the gutters are to help keep water off the perimeter of the house to help it drain away from the house because that is another reason of the deterioration of the existing foundation and windows. He stated he would get more estimates for this project as he moves forward and the reason for the high cost is that it is a replacement.

Dan McIntire recommended the Mills Act for this project.

## **5. Mills Act Program Certificate of Appropriateness (MILLS 13824-2020).**

**Location:** 164 E. Columbia Avenue

**Request:** A Mills Act Program Certificate of Appropriateness for a Restoration, Rehabilitation, and Preservation Plan that includes a schedule of projects to be completed during the first ten years following execution of a Mills Act contract.

**Environmental Determination:** Pursuant to the provisions of the California Environmental Quality Act, this project is categorically exempt per Section 15331.

### **Resolution No. 20-012**

**A motion was made by Commissioner Gallivan, seconded by Vice-Chair Gonzalez, carried by a 6 “yes” votes and 0 “no” vote (6-0-0-1) to approve Mills Act Program Certificate of Appropriateness (MILLS 13824-220) as presented by staff with the recommendation to use a low-profile roof vent away from the street and recommend City Council approval of the Mills Act Contract.**

Chairperson Ann Tomkins – yes; Vice-Chair Tamara Gonzalez - yes; Commissioner Williams – yes; Commissioner Gomez – yes; Commissioner Gallivan – yes; Commissioner Kercheval – yes.

**OPPOSITION:** None

**IN SUPPORT:** The applicant spoke in support of the project.

Debra Clifford, President of the Historical Society, commented via text box support of the project.

**DISCUSSION:** 14 minutes (8:18 p.m. to 8:32 p.m.)

The applicant stated that he purchased the home about a year ago, and he is excited to be in this neighborhood. He mentioned that the projects that he outline would be beneficial to the longevity of this home.

### **DISCUSSION**

#### **1. Historic District Street Tree Palette and Planting Matrix.**

Michael Sledd open up a discussion on this item.

**OPPOSITION:** Jeff Sladick submitted an email in opposition of this item.  
Cathy Tessier submitted an email in opposition of this item.  
Shelley Cottage submitted an email in opposition of this item.

**IN SUPPORT:** William Crisafi spoke in support of this item.

**DISCUSSION:** 53 minutes (8:33 p.m. to 9:26 p.m.)

William Crisafi stated that he appreciates the effort of selecting appropriate trees in the historic district. He mentioned that a few of his neighbors have lost sycamore london trees. He expressed his tree and his neighbor's tree are starting to die due to bark beetle. He mentioned he has increased the watering on his tree.

## **2. California Environmental Quality Act (CEQA) Fees.**

Gustavo Gonzalez open up a discussion on this item.

**OPPOSITION:** Brittany Gallivan spoke in opposition of this item.  
William Crisafi spoke in opposition of this item.  
Colin Beck spoke in opposition of this item.  
Diana Mayes made a statement in opposition of this item (via comment box).  
Jeff Sladick submitted an email in opposition of this item.  
Dan McIntire spoke in opposition of this item.

**IN SUPPORT:** None

**DISCUSSION:** 34 minutes (9:27 p.m. to 10:01 p.m.)

Brittany Gallivan stated that the CEQA fee is not mentioned in the city's Mills Act Program documents. She expressed in the past applicants did not pay a CEQA fee. She said other cities do not charge a CEQA fee for participating in the Mills Act Program. She mentioned that the mills act work complies with the rules and regulation of the State Office of Historic Preservation of the Department of Parks and Recreation, U.S. Secretary Interior Standards Rehabilitation and the State Historic Building Code. She expressed that the Mills Act Program is intended to promote the rehabilitation and maintenance of historic properties. She said the application should not be included, as part of the project and it does not require discretionary approval by multiple government agencies. She mentioned that there is no reason that an application participate in a tax mitigation program should be classified as a Major Certificate of Appropriateness and require any CEQA fees because it is not affecting the environment. She expressed that the city does not understand the CEQA fee or how it should be applied.

William Crisafi stated that they both have done a lot of research and communicated with the agencies Brittany mentioned and confirmed it is an inappropriate application of CEQA law. He expressed there are no discretionary actions involved in a mills act application and it is purely ministerial and it only becomes discretionary when it goes to city council or any other government agency. He said the CEQA fee is not disclosed in any documentation and part way through the process there is a non-refundable fee. He mentioned that the city should have talked to its legal department prior to adopting the CEQA fee. He expressed that the city should refund the fee.

Colin Beck mentioned that he has submitted a mills act application this year. He stated that he wrote to the state office and the response from the state was that it should be exempt from CEQA because the work will have less than a significant impact on the historical resources. He said he does not have a problem with the city charging a fee; however, the CEQA fee should have been included in the application form.

Dan McIntire said that when the preservation community was lobbying for the mills act to be adopted in the City of Pomona it never came up at the time. He expressed he cannot think of one project that has ever been approved by a minor and major that has had any adverse impact on the environment. He believes it is a deterrent to people when applying for a COA and the Mills Act.

### **Adjournment**

The Historic Preservation Commission meeting was adjourned by Commissioner Gonzalez at 10:16 p.m. to the next regularly scheduled meeting of October 7, 2020 at 6:30 p.m.

Respectfully submitted,

Prepared by,

Anita D. Gutierrez, AICP  
Development Services Director

Miroslava PourSanae  
Administrative Assistant