

HPC RESOLUTION NO. 21-011

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF POMONA, CALIFORNIA APPROVING A MILLS ACT PROGRAM CERTIFICATE OF APPROPRIATENESS (MILLS 16182-2021) 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 FOR A PROPERTY LOCATED AT 210 E. KINGSLEY AVENUE IN THE LINCOLN PARK HISTORIC DISTRICT

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

WHEREAS, on April 21, 2008, the City Council of the City of Pomona approved Resolution No. 2008-39 adopting a Revised and Restated Mills Act Historic Preservation Tax Abatement Program (Mills Act Program);

WHEREAS, under the Mills Act Program, the City Council may enter into contracts (Mills Act contracts) with owners of qualified historic properties who actively participate in restoring and maintaining their historic properties while receiving property tax relief;

WHEREAS, the Mills Act Program specifies that, in order to grant approval of a Mills Act contract, the City Council must make findings pertaining to the adequacy of a Restoration, Rehabilitation and Preservation Plan that includes a schedule of projects to be completed during the first ten (10) years following execution of the Mills Act contract;

WHEREAS, pursuant to City Council Resolution No. 2008-39, the Mills Act Program requires Historic Preservation Commission approval of a Certificate of Appropriateness for the Restoration, Rehabilitation and Preservation Plan;

WHEREAS, there has been initiated by the applicant, James Gutierrez, a proposed Mills Act Program Certificate of Appropriateness (MILLS 16182-2021) for a Restoration, Rehabilitation and Preservation Plan that includes a schedule of projects to be completed during the first ten (10) years following execution of a Mills Act contract for property located at 210 E. Kingsley Avenue;

WHEREAS, consistent with the Mills Act Program, the subject property is considered a “contributing” structure within the Lincoln Park Historic District, which was designated as a historic district by the Pomona City Council on May 4, 1998;

WHEREAS, the Historic Preservation Commission of the City of Pomona has, after giving notice thereof as required by law, held a public hearing on September 1, 2021, concerning the requested Mills Act Program Major Certificate of Appropriateness (MILLS 16182-2021) for a Restoration, Rehabilitation and Preservation Plan; 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. Pursuant to the Guidelines for Implementation of the Environmental Quality Act (CEQA), the proposed project meets the criteria for a Class 31, Section 15331 Categorical Exemption in that the project involves rehabilitation of a historic resource in a manner that meets the Secretary of Interior's Standards for the Treatment of Historic Properties.

SECTION 2. Section B.9 of the City of Pomona Revised and Restated Mills Act Historic Preservation Tax Abatement Program (Mills Act Program) requires that, prior to the approval of a Mills Act contract, the following findings be made regarding the Restoration, Rehabilitation and Preservation Plan (RR&P Plan) and supporting materials for the subject property:

1. *Based on information contained in the program application including, but not limited to, the Restoration, Rehabilitation and Preservation Plan, cost estimates, estimated tax savings to the property owner and other related information, the approval of the Mills Act contract will serve to compensate the City for the reduction in property taxes received.*

Staff has determined that the estimated tax savings during the first ten years of the Mills Act contract will be approximately \$39,233. The proposed RR&P Plan includes only one project therefore the total estimated cost is \$39,233. The estimated cost of the projects included in the RR&P Plan exceeds the estimated tax savings over the first ten years of the Mills Act contract by approximately \$35,018.

2. *The Restoration, Rehabilitation and Preservation Plan will extend the life of the structure(s), protect the historic and aesthetic value of the property, and comply with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation; the United States Secretary of the Interior's Standards for Rehabilitation; the State Historic Building Code; and the City of Pomona Municipal Code, Historic Preservation Ordinance and Design Guidelines.*

As conditioned, the projects included in the RR&P Plan will extend the life of the subject residence, protect the historic and aesthetic value of the property and comply with the rules and regulations of the State Office of Historic Preservation of the Department of Parks and Recreation; the United States Secretary of the Interior's Standards for Rehabilitation; the State Historic Building Code; and the City of Pomona Municipal Code, Historic Preservation Ordinance and Design Guidelines.

SECTION 3. The Historic Preservation Commission hereby approves Mills Act Program Certificate of Appropriateness (MILLS 16182-2021) for a Restoration, Rehabilitation and Preservation Plan that includes a schedule of projects to be completed during the first ten (10)

years following execution of a Mills Act contract for property located at 305 Garfield Avenue Street, subject to the following conditions of approval:

General Conditions

1. Time Limits. The subject projects shall be completed in substantial conformity with the Restoration, Rehabilitation and Preservation Plan and supporting documentation, as approved by the Historic Preservation Commission on September 1, 2021 in accordance with the revisions and/or additional conditions specifically required in this resolution of approval.
2. As specified in the approved Restoration, Rehabilitation and Preservation Plan, all work shall be completed by the tenth year following execution of a Mills Act contract, unless at least thirty (30) days prior to the applicable deadline, the property owner submits a letter to the Planning Manager requesting an extension of the deadline, not to exceed the first ten (10) years following contract execution and subject to Planning Manager approval.
3. Prior to altering the exterior of any structure on the subject property in any manner not addressed in the approved Restoration, Rehabilitation and Preservation Plan, all applicable Certificates of Appropriateness shall be obtained.
4. Prior to commencing work on any of the subject projects, all applicable building permits shall be obtained.

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

APPROVED AND PASSED THIS 1st DAY OF SEPTEMBER, 2021.

TAMARA GONZALEZ
HISTORIC PRESERVATION COMMISSION
CHAIRPERSON

ATTEST:

GEOFFREY STARNES, LEED AP BD+C
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 by California Code of Civil Procedure Section 1094.6.