

OFFICIAL MINUTES  
POMONA HISTORIC PRESERVATION COMMISSION  
OCTOBER 2, 2019

A. CALL TO ORDER: The Historic Preservation Commission meeting was called to order at 6:30 p.m. by Chair Alice Gomez.

B. PLEDGE OF ALLEGIANCE: Commissioner Williams led the pledge of allegiance.

D. ROLL CALL: Roll was taken by Planning Manager Gustavo Gonzalez.

COMMISSIONERS PRESENT: Chair Alice R. Gomez; Vice-Chair Ann Tomkins; Commissioners Debra Martin, Tamara Gonzalez, Jennifer Williams, Jim Gallivan, James Kercheval

COMMISSIONERS ABSENT: None

STAFF PRESENT: Planning Manager Gustavo Gonzalez, Senior Planner Ata Khan, Assistant Planner Alex Jimenez, Assistant Planner Eunice Im

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ITEM D:  
PUBLIC COMMENT:

None

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ITEM E:  
CONSENT CALENDAR:

**1. Approval of draft Historic Preservation Commission Minutes meeting of September 4, 2019.**

Chair Gomez requested her fellow commissioners provides edits to the minute by page.

- Page 9 – Chair Gomez reported the third paragraph should say “these”, it is missing the letter T. Commissioner Tomkins reported on the middle of the page after her name should say “asked if the location being...”
- Page 12 – Chair Gomez reported first paragraph, fifth line, should be “that” rather than “the”. Commissioner Gallivan reported third line from the bottom should room “roof” instead of “room”.
- Page 18 – Chair Gomez reported Item 1, fourth line, the word “the” should be eliminated. Commissioner Kercheval reported the spelling of Los Angeles was incorrect with an “e” there.
- Page 19 – the first line doesn’t read right and should be “out”.

Commissioner Williams asked if a Commissioner can vote on meeting minutes, they were not present for.

Planning Manager Gonzalez recommended not to vote if she was not present at the meeting.

**Motion by Commissioner Kercheval, seconded by Commissioner Gallivan, carried by a unanimous vote of the members present (6-0-1-0), Commissioner Williams abstained, to approve draft Historic Preservation Commission Minutes meeting of September 4, 2019.**

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

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HEARING ITEMS:

ITEM F-1

PUBLIC HEARING – MILLS ACT PROGRAM CERTIFICATE OF APPROPRIATENESS (MILLS 12044-2019) 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 ON A DWELLING LOCATED AT 333 SAN FRANCISCO AVENUE.

Eunice Im, Assistant Planner, provided a presentation on this item (see Staff Report, Item F-1).

Commissioner Gallivan asked if the sink could be ceramic, because the metal seems to give a modern flare.

Assistant Planner Im replied staff has proposed a ceramic sink to the applicant however for practical reasons she feels a stainless steel is more practical. She noted the steel sink is not covered by the tax relief.

Commissioner Martin asked why the applicant wasn't in favor of changing out the aluminum window on the backside of the house to make it a double hung window that matches the rest of the house.

Planning Manager Gonzalez suggested Commissioner Martin ask the applicant. She stated the applicant provided a list of items she wanted to include and if that exceeds the amount for the contract it meets the requirements of the Mills Act.

**Motion by Commissioner Martin to open the public hearing, seconded by Commissioner Gonzalez.**

Planning Manager Gonzalez reported he did not receive any speaker cards.

**Christina Garza**, project applicant/owner of 333 San Francisco Ave, shared she has a matching old cast iron sink right now and has gone through an entire set of glasses, so she is hesitant to getting another. She responded she hadn't thought about the back window, because that section of the house wasn't original and is fairly new (circa 1970s). She commented she is not sure if the window would be worthwhile as there is other work that needs to be done. She shared she bought the house in March and has put approximately \$40K into the home already, so putting another \$45K into it is going to be an undertaking over the next ten years.

**Chair Gomez closed the public hearing.**

**Motion by Commissioner Gonzalez, seconded by Commissioner Williams, carried by a majority vote of the members present (6-1-0-0), to approve the Mills Act Program Certificate of Appropriateness (MILLS 12044-2019) 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 on a dwelling located at 333 San Francisco Avenue.**

Roll Call Vote: Commissioner Tomkins – aye, Commissioner Martin – no, Commissioner Gonzalez – yes, Commissioner Williams – yes, Gomez – yes, Commissioner Gallivan – yes, Commissioner Kercheval – yes.

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ITEM F-2

PUBLIC HEARING – MAJOR CERTIFICATE OF APPROPRIATENESS (MAJCOA 11783-2019) TO ALLOW NEW PROPOSED ADDITIONS, THE DEMOLITION OF NON-ORIGINAL ADDITIONS, AND RESTORATION OF A HISTORIC STRUCTURE FOR THE PROPERTY LOCATED AT 100 AND 130 E. ALVARADO STREET IN DOWNTOWN GATEWAY SEGMENT OF THE POMONA CORRIDORS SPECIFIC PLAN AND THE LINCOLN PARK HISTORIC DISTRICT.

**Item continued from September 4, 2019.**

Planning Manager Gonzalez reminded the Planning Commissioner they will not be opening the public hearing because it was closed at the last meeting and they did not advertise this hearing. He clarified tonight is a continuance of the last discussion and a deliberation on the changes.

Commissioner Gallivan asked if the Commission could have asked to have it reopened.

Planning Manager Gonzalez replied it could have been left open from the last meeting.

**Alex Jimenez, Assistant Planner, provided a presentation on this item (see Staff Report, Item F-2)**

Planning Manager Gonzalez provided the Commission with updated colored elevations provided by the applicant.

Commissioner Gallivan commented the elevations look a lot closer to what the Commission would like to have.

Commissioner Kercheval asked what the proposed material of the windows on the second story addition on south elevation.

Assistant Planner Jimenez replied all the proposed windows are wood with framing to match the original cement framing of the firehouse.

Commissioner Kercheval asked if it would be possible for the rafter tails to be more Spanish revival or Spanish colonial in style as opposed to just simply squared off and cut at a 90-degree angle.

Assistant Planner Jimenez reported the color elevation was a last-minute addition because one of the architects working on this project experienced a tragic event.

Commissioner Gallivan asked if the stucco section with the two windows on it, might be painted more a darker color to match the bricks.

Assistant Planner Jimenez replied yes. She reviewed the recommended changes:

- The tower is removed
- Restoration of the front planter.
- Extension of the firetruck entrance all the way down.
- Restoration of the light fixture above the entrance.
- Replacement of the distinctive rain gutters on the original structure.
- On the addition, a similar parapet mission wall with the flame vases to match that original structure.
- On the addition, a smooth stucco exterior matched in color.
- On the addition, contiguous archways.

Commissioner Gonzalez asked her peers if they felt the secondary and tertiary parapet wall and the torches were too exacting to the original, so that they could create confusion for the addition.

Commissioner Gallivan replied he feels they are following the theme, which is allowed. He shared when he went to Orange there were whole sections added on that looked just like the original. He clarified that the Standard of Interior (SOI) design guidelines state that some sections can be identified or differentiated from others with a plaque if they are close in appearance.

Commissioner Williams responded it looks like they have tried to make it very similar, but the tiers are proportioned a little bit differently.

Planning Manager Gonzalez stated because Commissioner Williams was not here at the last meeting, she must recuse herself on this item.

Commissioner Williams recused herself and asked if she could stay in the audience.

Planning Manager Gonzalez replied yes, she just isn't permitted to vote or weigh in on the item.

Commissioner Tomkins responded to Commissioner Gonzalez that because this similarity is part of this addition that is clearly differentiated with the stucco, she doesn't have a problem with parts of it being nearly identical. She shared she attended a seminar with Commissioner Gallivan where they were asked to identify which buildings were new from several pictures and it took the room filled with people who are very good at architecture awhile to differentiate, so she feels comfortable with this.

Commissioner Martin complimented the applicant's efforts and stated it is important to make this property a shining star for the entirety of Lincoln Park.

Commissioner Kercheval agreed and stated he really appreciates the work that has gone into this and the sensitivity to the existing historical building. He suggested the rafter tails be Spanish Colonial/Revival style. He asked if the arch was a segmented arch. He recommended adding one more arch on the west elevation, where there are segmented arches with the roll up doors so that the spacing would allow for true arches instead of segmented.

Jonathan Zane, architect, spoke, sharing he was in Spain for the last meeting so the project architect Pete Galboreto was in attendance. He shared that, unfortunately, there was an accident the previous Sunday and Mr. Galboreto's son was killed, so he took the whole week off and they couldn't provide colored renderings without his talents. He stated he appreciates the process and commented this building is way nicer than what they originally proposed. He reported he inherited the original design from another architect. He shared he enjoys historical restoration and has been involved with the Colton Area Museum Association for 15 years and the Carnegie Library and Museum. He reported he changed those arches slightly to give them an actual true arch by lowering the corners a little bit. He pointed out one of the finials on the original structure is missing and they are going to have to replicate it. He requested to eliminate the finials to help differentiate. He mentioned other differentiations include that the original building has a brick arch and they restored the red light but could have regular lights or eliminate the other ones.

Commissioner Gallivan replied the finials are the symbol of the fire department, looking like flames that are coming out. He stated they have a lot of significance.

Jonathan Zane replied they will replace the one that is missing and requested not to put on the others.

Commissioner Kercheval agreed with the architect about the finials.

Commissioner Gallivan commented the expense would be in setting up the mold for the first one, and it would be moderately inexpensive to make three more.

Jonathan Zane replied they would have to do seven of them.

Commissioner Gonzalez responded it make more sense to leave it as is.

Jonathan Zane responded the finials will stay.

Commissioner Gallivan asked about the hose drying towers.

Assistant Planner Jimenez replied the drying tower came off after all the revisions were made and the agenda was posted, therefore staff could not forward that over.

Chair Gomez stated the Commission can't discuss this item because that was not agendized.

Planning Manager Gonzalez replied if it's related to one of the seven points that were identified the Commission can discuss, but it needs to be context to what they discussed at the last meeting.

Commissioner Gallivan stated it has to do with the hose tower being removed.

Assistant Planner Jimenez replied the hose tower being removed was a part of the last meeting, however, additional information regarding new styles of hose towers should not be discussed because it wasn't addressed at the prior hearing.

Commissioner Gallivan replied at the last meeting they discussed the possibility of it being rebuilt.

Commissioner Tomkins replied she didn't know the Commission decided to remove it at the last meeting and not have anything replicated there.

Commissioner Gonzalez agreed and stated she doesn't recall making that decision.

Assistant Planner Jimenez replied the specific comment was if the tower was to be restored, it was restored as a hose tower or it was to be removed completely. She reported it would not be restored as a water tank because that was not accurate to the original structure.

Planning Manager Gonzalez clarified direction was given to look at the water tower and see if it could be replicated, so the Commission can discuss, but can't ask for anything additional. He stated the idea is to keep the project within the scope of what was given at the last meeting, so the applicant doesn't have to redesign again. If Commissioner Gallivan wants to bring up his thoughts, then the Commission can decide if it's within what was discussed last time.

Commissioner Gallivan responded he feels a small version of the original tower could be put on top of the building to, so it has an element of looking like the original fire station without having to build a whole new tower.

Planning Manager Gonzalez responded the applicant determined that the tower was cost prohibitive after looking at restoring it to the original tower. He reported the direction from the Commission at the last meeting was to replicate what it was before or don't include it, but don't go with the one that exists today, because that tower was not original to the structure.

Commissioner Kercheval commented on the rafter tails again, stating it may be less expensive to just make them a little tighter against the building and match the existing.

Jonathan Zane replied you can't see the rafter tails in the front because there is a rain gutter along there. He stated anyplace else they have exposed rafters they can do a cash register cut to be more within that style.

Commissioner Martin moved discussion back to the water tower, suggesting it be moved to the corner of the parking lot and anchored in place as an iconic image for the location.

Jonathan Zane shared the original tower was brick and they are not going to do that. He noted when they looked at the tower that is there now, which was added 50 years ago for the previous restaurant. He shared when he first got involved, they explored putting a barrel up there to make it look like a water tower, but the structural engineers said the wood beams were not adequate for earthquake standards and would collapse, so they recommended taking it down. He stated his client may entertain the idea of putting it in the corner of the parking lot but can't speak for him.

Commissioner Kercheval requested to remove the raised foam framing on the second floor of the west elevation windows. He commented this is modern framing and he would rather have it look somewhat historic and be flat with the window inset. He recommended the glass on the windows where the firetruck used to go in and out on the north elevation be translucent (like a bathroom window) because that is currently where the kitchen is located.

Jonathan Zane replied that glass will be tinted.

Commissioner Kercheval responded he feels a translucent glass would be better than something dark or reflective.

Jonathan Zane replied all the other doors that roll up on the other side have a tint to them, but you can see through them both from the outside and the inside and these panels will be the same.

Commissioner Kercheval replied he is not worried about the newer portion of the building, just the historic side. He stated it would look best if it was sandblasted or glass that has been treated so you can't see through it into the kitchen, plus it would provide nice light for the people working.

Commissioner Gonzalez agreed with Commissioner Kercheval's point. She requested to discuss the balconies, stating she doesn't understand the purpose of such a large balcony and has concerns about what's going to happen on that balcony. She stated she is concerned that it is obstructing the eaves that they wanted to see from the building.

Jonathan Zane replied the old addition has a flat roof and its ugly, but the handrail makes it look like a nice big balcony. He shared they are not planning on having parties up there, rather the area is for the employees to be able to go outside and smoke a cigarette.

Commissioner Kercheval asked if a compromise would be to reduce the balcony to half the square footage so the fence comes back exposing the eaves and gables of the building.

Jonathan Zane asked if they could still have the tile floor.

Commissioner Kercheval replied yes, the fence would stop about halfway so the gables could be seen.

Senior Planner Khan shared that building and safety would not permit an open deck without railings.

Commissioner Gonzalez clarified that Commissioner Kercheval is recommending pushing the deck back to where the roofline changes. She commented she is pleased with what the applicant has done with the recommendations from last meeting, however, is concerned that the deck is going to become something that has not been discussed here and so she wants to make sure her point heard. She stated she doesn't want that area to be a secondary patio area or a place where employees smoke because she doesn't want to see that when she drives by.

Commissioner Kercheval replied he doesn't think that is going to happen. He suggested making a similar porch to what's on the west elevation on the French window.

Commissioner Gonzalez replied she would be fine with something like that Juliet balcony.

Commissioner Kercheval asked how his fellow Commissioner feel about removing the entire fence and making it a flat tile roof.

Senior Planner Khan pointed out how the deck gets used is a land use consideration and ventures outside the purview of the Certificate of Appropriateness.

Commissioner Kercheval replied they think it would look better if there was a balcony like the one on the west elevation on that same door.

Senior Planner Khan asked Commissioner Gonzalez to walk staff through what that would look like.

Commissioner Gonzalez replied there are two recommendations; 1) to pull the balcony back so it's smaller in scale and with a flat roof or 2) mimic the Juliet balcony that is on this other side to allow for a full unobstructed view of the gables and roofline.

Commissioner Kercheval commented he prefers the Juliet balcony.

Chair Gomez stated the purpose of the balcony was for employees to have access to the outdoors. She asked where the entry to that area was located.

Commissioner Gonzalez replied it's an interior stairwell and Assistant Planner Jimenez pointed it out on a drawing.

Al Naji, owner, stated they added the balcony with the iron fence on the second floor because having just a flat roof is ugly, and it is meant to be a break room for staff to eat in. He stated he would hate to see it gone.

Commissioner Tomkins agreed with the applicant that the flat roof is ugly, and it would look better with a railing.

Jonathan Zane respond they could go back to a tile roof. He commented a wrought iron fence would not obscure anything but will keep people from falling.



Chair Gomez summarized the dais seems amendable to keeping that.

Commissioner Kercheval replied he is ambivalent and willing to go with the rest of the dais. He agreed that the wrought iron fence is see-through, stating the drawing doesn't do it justice.

Senior Planner Khan summarized staff heard two potential conditions of approval; 1) to reduce the overhang on the north elevation or use a cash register cut 2) to replicate the original windows on the west elevation.

Assistant Planner Jimenez responded there is a note on the plans that the windows will be recessed a minimum of 3 inches to match.

Senior Planner Khan confirmed there was a third potential condition that the fire truck windows be glazed or frosted. He requested any motion made capture those conditions.

Commissioner Gallivan requested there be hidden lighting on the original structure.

Assistant Planner Jimenez replied staff will address that during the full landscape plan check.

Commissioner Gallivan commented that the south side elevation bothers him because this is a main corridor. He stated it would be nice if it architecturally looked better.

Commissioner Martin replied she thinks he is getting thrown off by the fact that there aren't any windows on the bottom floor.

Commissioner Gonzalez replied it's just the doors.

Assistant Planner Jimenez replied that is correct. She referenced the floor plan, sharing that area include restrooms, storage and freezer space, which doesn't necessitate windows. She reiterated that the Commission needs to stick to the points from the previous meeting.

**Motion by Commissioner Martin, seconded by Commissioner Gallivan, carried by a unanimous vote of the members present (6-0-0-1), to approve Major Certificate of Appropriateness (MAJCOA 11783-2019) to allow new proposed additions, the demolition of non-original additions, and restoration of a historic structure for the property located at 100 and 130 E. Alvarado Street in Downtown Gateway Segment of the Pomona Corridors Specific Plan and the Lincoln Park Historic District, with the recommendations made by Commissioner Kercheval as follows: 1) to reduce the overhang on the north elevation or use a cash register cut, 2) to replicate the original windows on the west elevation and 3) the fire truck windows should be glazed or frosted.**

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

Commissioner Gonzalez current there are fence poles and strings, but not fencing around the property which is allowing the homeless to congregate there again. She asked if there was anything the Planning Department could do to encourage the owner to put fencing around that property. She reported Commissioner Tomkins brought this same issue up about three months ago with Development Services Director Gutierrez.

Planning Manager Gonzalez replied as soon as the applicant is in plan check staff can allow him to put construction fencing up.

Commissioner Tomkins responded because of the City forced the sale of this property, construction fencing was required when it was put in receivership because there was a huge problem with the homeless. She shared her understanding is that the contract expired, and the previous fencing was taken out. She stated the current fencing (twine and posts) doesn't comply with any of the fencing codes. She shared the City went through a lot of effort to get the previous fencing up with residents holding a protest at this property, so it is a significant issue to the community. She asked if there was any way to get construction fencing up without having to wait until the applicant submits something.

Planning Manager Gonzalez replied staff can investigate. He reported the code currently states a property must be under construction to have the fencing up and staff have interpreted that to include having something submitted for plan check.

Commissioner Tomkins responded there is another section of the code that says a vacant property must be fenced off, so they may have two conflicting code sections, because that was the code section enforced when they put up the last fence.

Senior Planner Khan replied there is a requirement for vacant parcels, but this is a developed property, so it is different. He clarified that the City does not allow chain link fence and so the only opportunity would be during the construction phase. He agreed that twine is also not approved, so that is something that staff can enforce and investigate.

Commissioner Tomkins shared the community wanted wrought iron but were told that wasn't a type of temporary fencing. She expressed concern about how long the process would take to get building permits.

Planning Manager Gonzalez replied staff will do their best to try to get through the process.

Chair Gomez stated because two Commissioners have brought it up as an area of concern, she wants to impress upon staff the need to watch it.

Planning Manager Gonzalez replied staff will look to see what they can do within their purview and power.

Commissioner Gonzalez asked staff what would have been a better procedure for the Commission to follow so that they could have had a full discussion tonight including Commissioner Gallivan comments.

Planning Manager Gonzalez replied the Commission would have had to leave the public hearing open. He noted staff still would have stressed that discussion be narrowed to a certain number of points so the applicant wouldn't have to redesign again.

Commissioner Gallivan responded he felt like his comments applied because they were on a change that was new and different to the Commission and a consequence of one of those seven items staff brought forward.

Commissioner Tomkins spoke about the Corridor Specific Plan having an overlay with at historic properties. She stated they don't have that many historically designated properties on Pomona's major corridors and she thinks historical preservation standards should take precedent over the Corridor Specific Plan.

Senior Planner Khan replied that the first thing staff looked at with the Firehouse project was applicability of codes. Staff's interpretation was that historic did prevail. He noted typically a façade change of this nature in that location would require a development plan review, which is a hearing at the Director of Development Services level, but instead staff pursued this as a Major Certificate of Appropriateness so that it was in the wheelhouse of historic preservation, but it was still analyzed to meet the code requirements of the Corridor Specific Plan whenever possible. He reported the Corridor façade treatments wouldn't meet historic guidelines, so staff didn't enforce those, however, building out the corner and parking requirements could apply, resulting in a hybrid approach.

Commissioner Tomkins asked Senior Planner Khan to clarify how the parking standards differ.

Senior Planner Khan replied the applicants are proposing a change of use (restaurant) and are adding patio space. He reported the Corridor has more permissive parking standards than the rest of the City, so staff reviewed square footage to make sure parking is adequate.

Commissioner Tomkins spoke about parking being a significant issue with historic properties because they don't traditionally have as much parking as more modern codes. She stated she wants to want to be able to adaptively reuse the City's historic buildings and balance parking requirements with impacts to the community.

Assistant Planner Jimenez replied parking for this project meets the current Pomona Corridor Specific Plan parking standards which are significantly reduced compared to the rest of the City. She stated standard parking sizes and the number of handicap parking stalls were analyzed and the site does meet the minimum.



ITEM G:  
DISCUSSION:

None

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ITEM H:  
HISTORIC PRESERVATION COMMISSION COMMUNICATION:

**1. Report from Ordinance Review Ad Hoc Committee.**

Commissioner Williams reported the Ad Hoc Committee attended a CPF workshop on ordinances and received a lot of useful information. She shared San Gabriel recently updated their ordinance and won awards. She shared the Committee is hoping to meet with them. She asked who she should be working with now that the Development Service Director Gutierrez is now on Maternity leave.

Planning Manager Gonzalez responded the Ad Hoc Committee can communicate directly with him.

**2. Report from Stable Ad Hoc Committee.**

Commissioner Gonzalez stated there was nothing to report.

**3. Report from Tree Ad Hoc Committee.**

Commissioner Tomkins reported they had a meeting with Development Services Director Gutierrez (phone), Senior Planner Khan, Planning Manager Gonzalez and Parks and Facilities Manager Michael Sledd. She shared they walked through the history of what they have been looking at for the past couple years and talked about whether there should be an ordinance change or an update to the historic tree program. She reported there wasn't a conclusion at the meeting and staff were going to review. She asked if staff had an update.

Planning Manager Gonzalez replied staff needed to push this response back to November, due to other priorities and to complete the research. He reported the plan is to bring back a presentation and discussion item with recommendations about how to proceed, and then use the direction from the Commission to come back in December for approval take the action to the City Council for approval in January.

Commissioner Tomkins requested staff sit down with the Tree Ad Hoc Committee members first to go over the recommendation before that comes before the entire Commission.

Planning Manager Gonzalez agreed and offered to setup another meeting.

Commissioner Tomkins voiced that one of her primary concerns is the replacement trees and figuring out if they set a diameter for a mature significant tree or incorporate a higher standard for trees of a certain age, because there could be a significant old tree that isn't large. She said the goal is to find the right flexibility in how to draft the ordinance so that it will be easy for applicants, sufficiently protective of what's historic and encourage people to get permits. She mentioned introducing a penalty for removing a tree without a permit and shared other ordinances state if a person removes a tree, they must replace it with two, but if they don't get a permit, they must replace it with four.

Commissioner Martin reported she spoke to Planning Manager Gonzalez about a resident that was having an issue with the online application for a tree trimming permit, because it required a notary signature. She stated she asked staff to investigate and eliminate that requirement unless it was the removal of a healthy tree.

Planning Manager Gonzalez replied there is a clause on that form that says if it's a Minor Certificate of Appropriateness to remove a tree, then notarization is not required. He reported it is setup to be notarized to get a signature of the owner. He shared staff are looking at redoing the form and working with legal.

Commissioner Martin asked if the City Council agenda for November will include the pre-1945 change to 50 years and older for demolition.

Planning Manager Gonzalez asked to leave that response for the communication at the end, after the Ad Hoc Tree report.

Commissioner Tomkins reported there are problems with the Canary Island Date Palms on Lincoln near Kathy Tessier's House, which are being tested for a fatal disease. She shared this is significant because if they have the disease the City wouldn't be able to replace with another Canary Island Date Palm and it may be something the Historic Preservation Commission would want to talk about because they are many in the area and are very distinctive trees. She stated they may want to come up with something that looks similar because it will have a significant impact on the appearance.

Planning Manager Gonzalez replied that is something staff will fold into the discussion about the amendment of the tree resolution.

### **Historic Preservation Commissioner General Comments**

Commissioner Gonzalez addressed Commissioner Martin's question about the pre-1945 ordinance change. She reported that is the Ordinance Ad-Hoc Review Committees' responsibility and they are at a temporary standstill with Development Services Director Gutierrez stepping away but will continue work with Planning Manager Gonzalez. She reported they learned about updating and changing ordinances at a seminar the Committee attended a week ago and would like to use that information. She reported this item won't be on the November City Council agenda, but maybe December.

Commissioner Williams clarified there were City Council members who had reservations about switching to a fifty-year rule and so City Council asked the Ad Hoc Committee to return with multiple options and that is going to take a little longer than November with staff's current workload.

Commissioner Gonzalez added the Ordinance Ad Hoc Committee has not had enough meetings to generate different suggestions or resolutions to present to City Council. She stated the Committee would prefer to present something that they are comfortable, confident and knowledgeable about, so it gets passed and they don't have to go back to City Council for a third time.

Senior Planner Khan noted that whatever gets brought forward must go through the whole ordinance process, which includes going to the Planning Commission and to City Council a first and second reading.

Commissioner Kercheval requested to add standing Commission Communication item on the agenda, so there is a place to bring up general feedback and comments.

Planning Manager Gonzalez replied general comment technically falls under Item H Historic Preservation Commission Communication with the Ad Hoc Committee reports. He stated he can put another bullet for other discussion.

Commissioner Kercheval requested to hear about staff's research and work that has been done on earthquake retrofitting. He reported he heard Monrovia requires bolting before they approved Mills Act.

Planning Manager Gonzalez replied staff can research and provide the Historic Preservation Commission with examples what other cities do. He noted earthquake retrofitting is not something required as part of the Mills Act but he knows it's an important point. He requested Commissioner Kercheval email him specific questions he'd like to see answered.

Commissioner Tomkins commented the primary reason Pomona created a historic preservation ordinance was to be able access funds to earthquake retrofit some of the City's older masonry buildings. She stated if they are not retrofitting the Mills Act buildings and then there is a major earthquake and they are lost; she would feel like the Historic Preservation Commission is not protecting these properties.

Planning Manager Gonzalez responded it is something applicants can use the Mills Act to do it, but it's not required.

Commissioner Tomkins replied her understanding is the Historic Preservation Commission can approve or deny, as well as, set priorities for the Mills Act projects (i.e. exterior windows). She stated if the City is taking a different track with the program now, they may need an Ad Hoc Committee to rewrite.

Planning Manager Gonzalez requested to let staff research to provide a good model of another City.

Commissioner Martin suggested adding an agenda item for a Mills Act discussion in January.

Planning Manager Gonzalez replied staff are happy to keep a wish list of requests and allocate staff as time becomes available. He reported staff are focusing on the tree ordinance and the cannabis right now.

Commissioner Kercheval expressed frustration about the salvage process associated with demolitions. He shared he pursued a salvage opportunity using the Pomona Heritage and the Historical Society presidents to approach the applicant and the applicant flat out refused. He commented it seems to be a gentleman's contract and there is nothing in place to guarantee access to items.

Commissioner Martin replied she thought there was a requirement to allow items to be salvaged through the Historical Society and Pomona Heritage.

Commissioner Gallivan stated the Historical Society does not have insurance and so there is a liability issue.

Commissioner Gonzalez responded that Debra Clifford has insurance.

Commissioner Kercheval suggested asking applicants who verbally agrees to provide a salvage opportunity to place items at the curb to be picked up, so insurance is not an issue.

Senior Planner Khan replied all Major Certificates of Appropriateness for demolition include a condition that says requests a reasonable opportunity for salvage, however, it does not mandate it. He reported the challenge is the legal enforceability. He reported in the past the City had applicants' mail salvage opportunities to the historic groups and neighboring properties, opening the property on specific date but there was legal enforceability issue with that from a liability insurance standpoint. He stated staff can look at other options for salvage, such as leaving items on the curb.

Commissioner Martin suggested a minimum to be notified if the applicant plans to sell items so the community can have an opportunity to purchase.

Commissioner Tomkins confirmed the applicants are saying they don't want the liability or if the City was the one raising that issue.

Senior Planner Khan replied it's both.

Commissioner Tomkins replied she is confused about the liability issue, because people must open their property for City Staff to go in to inspect a property.

Senior Planner Khan replied he wouldn't be able to speak to that but would be happy to research.

Commissioner Tomkins added the City requires people on the Mills Act to make their home available for Pomona Heritage tours. She confirmed Pomona Heritage provides that insurance. She recommended the city look at the cost of securing similar insurance.

Commissioner Kercheval replied Pomona Heritage has insurance and has offered to go in and salvage whatever was needed, but the applicant refused. He requested staff research and come back so that the Commission is knowledgeable and can explain to applicant what they are saying yes to.

Chair Gomez suggested sharing with applicants when they agree to salvage, that several others have refused.

Commissioner Tomkins asked if they needed to make an amendment to the ordinance.

Planning Manager Gonzalez replied staff will investigate and look at models from another Cities who have been successful.

Commissioner Tomkins stated it probably has to do with the fact that we can't legally hold up an approval of an application based on someone donating property.

Senior Planner Khan added the code requires a thirty-day advance relocation opportunity notice to be published in the Daily Bulletin, providing an opportunity for anybody to call up the property owner and make a bid, however, that does not address interior salvage.

Commissioner Tomkins responded the City might be able to revise that section to pick up something less than moving the whole building.

Commissioner Martin spoke about the Historical Society salvaging items from Second Street demolitions and it being a requirement for the Historical Society to obtain doors, fixtures and sculptures. She recommended working together with the Historical Society and Pomona Heritage to negotiate the removal and storage of items at Phillips Mansion.

Commissioner Kercheval commented its costs money to demolish a house and it doesn't cost that much more to extract pieces or hold off on sending an item to the dump. He stated he wanted the Commission to be aware of what happened for the next demolition request. He stated he prefers asking applicants to set items at the curb versus dealing with the liability issue.

Commissioner Tomkins recommended putting the question out on the Certified Local Governments list serve.

Commissioner Kercheval asked if staff did research on the water bill communication.

Planning Manager Gonzalez replied staff did not get a chance to look at that. He shared the City is are moving forward with the website, but that is going to take time. He shared there may be ways to put communication on their current website by creating a historic preservation page. He stated he will investigate this and report back in November.

Commissioner Kercheval commented the reason this is a priority for him is because there have already been several unpermitted front door changes in the neighborhood and there are currently a lot of misconceptions about being in a historic district. He stated he wants to put historic districts in a positive posture in the community as opposed to being seen as restrictive.

Commissioner Martin replied she'd like to see a postcard.

Commissioner William asked if there was a single consolidated register of all the locally designated properties in the City of Pomona.

Senior Planner Khan replied there is, and staff reference it constantly. He stated he would be happy to provide a copy. He noted the districts are on the public map.

Commissioner Tomkins reported the GIS map is not consistent across the districts, with Lincoln Park properties being shown as contributing or non-contributing and Wilton Heights has nothing.

Senior Planner Khan replied staff will investigate and make sure it's corrected.

Commissioner Williams asked if a Commissioner were to sponsor an individual designation would that preclude that Commissioner from being able to vote when the item came before the Historic Preservation Commission.

Senior Planner Khan replied if there was an application for an individual landmark and one of the Commissioners was actively involved in presenting evidence for why it should be landmarked, then it would make sense for that Commissioner to recuse themselves. He noted they have applications where the local Historic Society would contribute information and that's appropriate, but he recommended being cautious about submitting applications with a Commissioner's name on it and using discretion with the level of involvement.

Commissioner Tomkins responded the ordinance states that the Historic Preservation Commission will aid residents by making themselves available to answer questions from the community. She stated the ordinance also allows the Historic Preservation Commission itself to recommend properties for designation.

Planning Manager Gonzalez replied that may be accurate, but an attorney would recommend the conservative approach to eliminate any issues. He stated they can give information, support, and sponsor but then politely recuse themselves.

Commissioner Tomkins replied there wouldn't be a requirement to recuse because there isn't any financial interest.

Chair Gomez asked staff provide a clear definition on this matter.

Commissioner Tomkins agree because the issue is that the ordinance is asking one thing and the she is being told by staff that they shouldn't be doing it.

Planning Manager Gonzalez replied he will address this question with the legal team.

Commissioner Gonzalez shared at the training she attended she saw a creative solution for historic demolitions. She shared that in Highland Park on a corner property, of sizable square footage with three original structures, that instead of tearing down the structures, the property owner turned them into ADUs and on three separate parcels of land keeping the historic feel of the neighborhood. She reported the original home had a small ADU within the home, then behind that there was another home and a garage that were turned into ADUs and then on the third part of the land they built a separate structure. She noted the project provided substantial income for the property owner who was able to sell or rent off whatever parts they wanted while keeping the aesthetic value of the historic structures and the integrity of the neighborhood. She stated there are two demolitions that have recently come across the dais that the Commission hasn't seen come back and she thought this might be a great alternate solution. She asked staff how the City could encourage property owners that want to do mid-modern developments to do something like this.

Assistant Planner Jimenez replied she recalled that specific example in Highland Park, however, there were some very distinct differences. She reported it was was a corner lot which made subdivision possible, while still meeting minimum lot sizes. She pointed out in Pomona's previous cases the lot configurations were very different and it is not always a possibility to subdivide. She stated staff can present this option and noted she always asks applicants if they considered a redesign to incorporate the existing buildings.

Senior Planner Khan shared 737 Lewis is a good example of project that never came before the Commission. He reported the applicant wanted to build a 12-unit condo development and they ended up building 11 units and retaining the original Victorian home and building around it. He stated the applicant a tract map and there is a cul-de-sac. He reported this project is in plan check, soon to be constructed.

Assistant Planner Jimenez stated she will email that out.

Commissioner Gallivan he stated he requested that 682 Illinois to be put on the agenda and it wasn't.

Planning Manager Gonzalez replied he communicated via email that staff do not bring items to the Commission that are exempt or approved at staff level, so that the Commission is not discussing specifics on the dais. He stated they may talk about general topics that apply to those properties. He responded that staff are happy to talk to Commission Gallivan individually.

Commissioner Gallivan asked when the COA was issued.

Planning Manager Gonzalez replied Assistant Planner Jimenez provided an email update.

Commissioner Gallivan reported an email was sent asking if he wanted more information and he replied yes, but never received anything back.

Planning Manager Gonzalez replied there wasn't a COA issued, there was an exemption found because the changes to the house weren't significant enough. He reported it was an addition to the back of a house that isn't a contributor to the district.

Assistant Planner Jimenez replied for any non-contributing structure within a designated historic district .580913 applies and states that staff are to assess the scope of work and if the changes do not significantly alter the character or the aesthetic value of the district those plans can continue as a building permit and would not go through any Minor or Major Certificate of Appropriateness process.

Commissioner Gallivan asked when he could issue an appeal.



Assistant Planner Jimenez replied there is no appeal for building permits.

Commissioner Gallivan commented the communication been bad on this item. He asked what code allows the applicants to remove the original windows and frames and replace with plastic ones.

Assistant Planner Jimenez replied if a non-contributing home in a historic district doesn't have any original windows to begin with and the request for a building permit comes to change the windows (aluminum or vinyl) and they are being replaced with a like material, that change will not have an impact on the district because when the district was formed this home was recorded as having those distinctive differences which deemed it as non-contributing. She stated this is how any non-contributing property will be analyzed.

Commissioner Gallivan responded the Commission has a responsibility to maintain the historical significance of non-contributing per the Historic Preservation Charter.

Assistant Planner Jimenez replied she understands that and, in a scenario, where a property is changing vinyl windows to similar vinyl windows staff are not taking away from that standing.

Commissioner Gallivan confirmed the windows were already vinyl.

Assistant Planner Jimenez replied they were, but staff want to avoid directly referencing any specific property.

Commissioner Gonzalez asked what the process would be if an owner wanted to change a non-contributing building with some wood windows to vinyl windows.

Assistant Planner Jimenez replied staff would assess to see if the change would have such a significant impact on the district (integrity and distinctive features) and then decide if the project should bring it forward to the Commission.

Commissioner Tomkins replied this is like the vinyl fencing issue in the districts. She recommended trying to address this in the design guidelines by identifying types of materials or changes that the Historic Preservation Commission believes has an impact on the district.

Commissioner Gallivan replied the fencing guidelines state if other houses around do not have fences that the City should try to keep from adding additional fences.

Senior Planner Khan stated the core concern here seems to be the difference of administrative review on determining whether something is detracting from the district or not, so maybe a discussion would help make the commission feel that it is less arbitrary or supported.

Commissioner Gallivan replied the Commissioners do feel that they have a responsibility.

Commissioner Tomkins asked staff if they encourage applicants to consider putting in wood windows in a historic district.

Assistant Planner Jimenez replied yes, staff lay out all the options that would be appropriate for the style of the home or a contributing home. She noted that historically that has worked out well.

Commissioner Martin added that when an "opted out" contributing structures in a historic district is sold it goes straight into the district.

Assistant Planner Jimenez replied the City has a running list of all the exempt properties in all three districts. She noted there is a difference between contributing in a district, non-contributing in a district and exempt. She stated exempt does not have to abide by section .580913, however, if the original homeowner that was listed during the exemption process when the historic district was established, sells their home that home is automatically now contributing. She reported staff knows about that as soon as work comes in because there are red flags that pop up for any building permit within the historic district boundaries. She stated if the owner is not the same owner anymore, staff make them aware that now own a contributing home in that historic district and must go through a Minor Certificate of Appropriateness.



Commissioner Martin responded they only know if they come in for a permit.

Chair Gomez asked if it would be permissible for this group to have the list of those exempt homes in historic districts.

Commissioner Gonzalez noted it doesn't have to be a sale, just a change title.

Assistant Planner Jimenez agreed. She stated the list of exempt properties is part of the resolution (a public document).

Commissioner Gallivan reported the last time he read through the ADU ordinance it did not mention that houses couldn't be seen from the front. He noted Pasadena states that additions cannot be seen from the front and he feels the ordinance needs something similar. He reported he has heard comments from the community about how the Planning staff are making arbitrary decisions.

Commissioner Gonzalez replied a good example of Commission Gallivan's comment are the Mills Acts that came to the Commission. She noted they were all represented by different planners and each had very different levels of involvement, for example one presentation highlighted a lot of paint work and then the one tonight was very granular going down to the light fixtures and sinks.

Senior Planner Khan replied any planner at the Planning Division right now will offer you the same service for historic districts because they are trained the same way. He stated there isn't a resident historic expert. He stated the Mills Act applications were purposefully given to four different planners to work together. He reported the planners all shared notes on practices and did site visits together to provide a level in uniformity for applicants. He stated tonight's item may have been more detailed because it had the more interior improvements, whereas one of the last three included a bathroom remodel. He stated the analysis was conducted in a group setting they worked off a template staff report.

Planning Manager Gonzalez added the Planning Department strives for consistency and looks for ways to improve. He noted the Pomona's code is objectively written but also allows for some interpretation because nothing fits nicely into a box. He reported when a judgment call is needed, the planners typically confer with Development Services Director Gutierrez or himself and they decide together. He stated the goal is always to be consistent and provide the best information to residents. He stated the residents that feel like they weren't treated the same often don't have the full information and there was actually a different set of circumstances that applied.

Senior Planner Khan shared that recently the Planning Department recognized on previous Mills Acts that staff were requiring life and safety improvements, however, that was not specified anywhere. He spoke about cleaning up old processes.

Commissioner Tomkins asked for further clarification on the Mills Act change.

Assistant Planner Jimenez replied prior to taking on the four most recent Mills Acts, the planners did research on how the Mills Acts were handled before. She reported when the program was re-established an extensive list of approved projects was created. She noted the old Mills Contracts (11 to date) have a section called Life & Safety improvements, which is arbitrary and lacking consistency. She stated there were certain projects that staff may have required as part of the scope of work that was not outlined in the Mills Act guidelines and that is no longer the case. Staff have now developed a consistent template and way of analyzing all Mills Acts applications going forward.

Commissioner Tomkins replied the Commission should be weighing in on changes in process. She stated the code pertaining to this Commission states they are responsible for the oversight of the application processing and priorities. She stated she is seeing staff making a lot of changes and decisions but there hasn't been a conversation with the Commission. She commented it is difficult to work collaboratively when the rules keep changing.

Senior Planner Khan replied the rules aren't changing. He stated there is a difference between rules changing and interpretations made and a previous staff making a judgement call on what to ask an applicant to do versus what the code says.

Commissioner Tomkins responded she thinks some direction from the Commission has been lost in those decisions.

Chair Gomez suggested they have a workshop on the items that Commissioners feel there has been discrepancies.

Commissioner Tomkins replied it sounds like staff went through a process of looking a Life and Safety and she feels it would have been useful for them to advise the Commission that they were making this change, because the Commissioners are advising residents.

Commissioner Gonzalez commented she agrees that if they have the same information it would make it easier for all. She shared resident Jeff Sladick had to change light switches, plugs and smoke detectors before he could do anything else and these items were not a part of his original plan. She noted Mr. Sladick does community workshops on Mills Acts and is the reason they received the four most recent applications. She stated it's important for the Commissioners to know this information because they are the voice for the community, especially on Mills Act because it's within the historic districts.

Commissioner Tomkins clarified she doesn't have an objection to the changes, she just wants everyone to be on the same page. She reported she noticed a change in the online version of the 1999 design guidelines with an updated fence section. She noted the new fence section doesn't have a date telling when it was updated.

Senior Planner Khan replied the Pomona zoning ordinance was updated in 2009 to add a fence, wall and hedges section. He stated that included design guidelines for historic districts, so the section she saw is referencing that code section.

Planning Manager Gonzalez responded he understand needs to be more communication about the changes that are happening.

Commissioner Tomkins reported the historic preservation ordinance has timelines from when an application is complete to when it must come before the Commission. She asked how staff are implementing this because she hasn't seen anything in the documentation reporting when an application was received or deemed completed. She stated in the past that hasn't been followed closely. She commented they all need to be paying attention because if they don't follow the deadline the Historic Preservation Commission will lose its ability to review.

Senior Planner Khan replied the timelines are being followed. He reported in the last 24 months the timelines have been cleaned up quite a bit. He stated in 2017 major COAs were submitted and because of lack of staff it was virtually impossible to meet those timelines but now that the Planning Division is caught up those timelines are being met. He stated staff are obligated to follow the Permit Streamlining Act. He stated staff can include those date in future reports.

Commissioner Gallivan commented the design guidelines read "to preserve the historic appearance and value of Pomona's designated historic landmarks and structures. Within preservation districts, property owners must obtain a Certificate of Appropriateness before undertaking any minor alternation project that requires a building permit."

Commissioner Tomkins responded that doesn't exclude non-contributing properties so maybe that needs to be updated.

Senior Planner Khan responded Assistant Planner Jimenez was referencing the code section on non-contributing. He stated if there is an inconsistency staff can correct that.

Commissioner Tomkins reported the previous staff compared all applications with the location of Commissioner residences and would notify a Commissioner if something was coming forward that was within 500 feet. She stated this allowed time to get an FPPC interpretation about recusal. She stated it hasn't been as much of an issue lately, because there has been good attendance, but in the past a recusal would mean they didn't have a quorum. She requested staff arrange the schedule to be sensitive to those issues.

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#### ITEM I:

#### DEVELOPMENT SERVICES DIRECTOR/PLANNING MANAGER COMMUNICATION:

##### **1. Minor Certificates of Appropriateness for September 2019 (attached).**

Commissioner Gallivan asked about 516 Lincoln.

Planning Manager Gonzalez responded somebody added some wrought iron railing to the windows and the City doesn't have any record of it. He stated staff are going to investigate further.

Commissioner Tomkins reported the format of Minor Certificates of Appropriateness report doesn't line up right.

Commissioner Gallivan asked about the roof line.

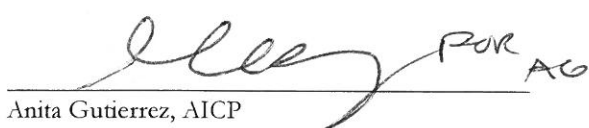
Planning Manager Gonzalez replied that was a like for like.

Planning Manager Gonzalez invited the Historic Preservation Commissioners to the annual historic symposium put on by the Orange County American Planning Association (APA) on Friday, November 15, 2019 from 11:00 a.m. to 3:00 p.m. He stated it includes lunch, speakers and a walking tour of downtown. He shared he is the historian for the Orange County American Planning Association (APA) and would be happy to have them as his guest.

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ADJOURNMENT:

Chair Gomez adjourned the meeting at 9:33 p.m. to the next regularly scheduled meeting of the Historic Preservation Commission on November 6, 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.

