

Agenda Report

TO: CITY COUNCIL

DATE: SEPTEMBER 17, 2007

FROM: CITY MANAGER

SUBJECT: Appeal of a Decision by the Historic Preservation Commission to Deny a Certificate of Appropriateness for Installation of French Doors and Balcony at 975 North Hudson Avenue (Washington Square Landmark District)

RECOMMENDATION

It is recommended that the City Council:

1. Acknowledge that the project is categorically exempt from the California Environmental Quality Act (Article 19, §15331, Class 31, Historical Resource Restoration/Rehabilitation);
2. Find that the design of the newly installed French doors and balcony on the primary elevation of the house at 975 North Hudson Avenue is inconsistent with the City's Design Guidelines for Historic Districts, the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings; and
3. Based on these findings, affirm the decision of the Historic Preservation Commission to deny a Certificate of Appropriateness for installation of French doors and balcony on the front elevation of the house at 975 North Hudson Avenue.

RECOMMENDATION FROM THE HISTORIC PRESERVATION COMMISSION

At a public meeting on May 7, 2007, the Historic Preservation Commission reviewed an application for a Certificate of Appropriateness for an after-the-fact approval of new French doors and a balcony on the front elevation of the house at 975 North Hudson Avenue. The Commission voted unanimously to uphold the staff decision to deny the application for a Certificate of Appropriateness.

BACKGROUND

The subject property is located on North Hudson Avenue, north of East Mountain Street and south of Belvidere Street. The house, built in 1922, is a one-story

Mission Revival style bungalow that is contributing to the Washington Square Landmark District. Rectangular in plan, it has a flat roof, smooth stucco coating, and a front façade divided into two bays.

A photograph of the house in the 1992 survey of the Palm Terrace neighborhood depicts the original, multi-paned casement window on the front elevation in the current location of the new French doors and balcony. Later photographs on file (date unknown) indicate that the original window had been removed sometime after 1992 and replaced with an aluminum-framed casement window in a downsized opening; in these photographs the outline of the original window opening is visible on the plastered front wall of the house. The new French doors, installed without a building permit and without a Certificate of Appropriateness, replace the non-original aluminum-framed casement window.

The steel-framed French doors are set beneath a curvilinear Mission-style arch. The opening is larger in size than the original window opening. The balcony, with a scrolled wrought-iron guardrail, is a new feature on the house.

On February 26, 2007, the property owner submitted an application for a Certificate of Appropriateness for retroactive approval of the French doors and balcony. Acting under the provisions of §17.62.090, City staff reviewed the application and denied it on March 28, 2007. On April 3, 2007, the applicant appealed this decision to the Historic Preservation Commission. On May 7, 2007, the Historic Preservation Commission reviewed the application for an appeal and affirmed the staff's decision to deny the Certificate of Appropriateness.

ANALYSIS

The Secretary of the Interior's Standards for Rehabilitation and Design Guidelines for Historic Districts support the recognition of each property as a physical record of its time, place, and use. They specify that when necessary replacement elements shall match the original design as closely as possible and—when possible—be substantiated by documentary, physical, or pictorial evidence; alternatively missing features may be replaced with a contemporary but compatible new design.

In this case, the doors and balcony do not comply with the Secretary's Standards and the Design Guidelines because they create a false sense of historical development. The doors also exceed the size of the original window opening, and the arched opening and balcony are new ornamental features that never existed on the front of the house. There is no documentary, physical, or pictorial evidence to justify the design of these new features.

To comply with the Secretary of the Interior's Standards for Rehabilitation and the Illustrated Guidelines for Rehabilitating Historic Buildings, the opening should be changed to a window that either matches the original (i.e., wood-constructed

multi-light casement) or a new window that is smaller in size than the French doors and compatible in design with the house.

In its review of the application, the Historic Preservation Commission requested the applicant to include the following information as part of a new application for a Certificate of Appropriateness:

- Removal of the two new lanterns and balcony,
- Details of plaster work; to ensure minimal visibility of the patch-work that will be required to reduce the window opening to its original size, and
- Details of a replacement window; to match the original window documented in pictorial evidence on file.

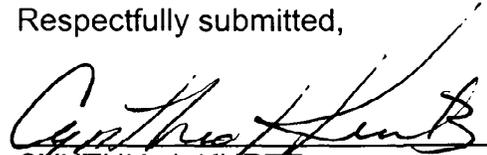
The Commission suggested that this approach would restore the front of the house to its original condition.

The owner contends that the doors and balcony are of high-quality materials and that their design is appropriate to the architectural style of the house.

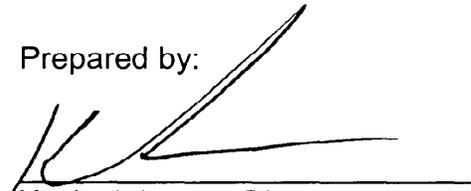
FISCAL IMPACT

Applications for review of a Certificate of Appropriateness are exempt from fees in a landmark district. The Council's action to grant or deny this appeal has no fiscal impact on revenues to the City.

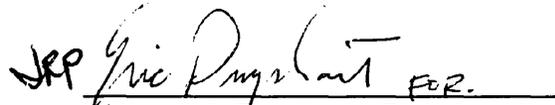
Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Prepared by:


Kevin Johnson, Planner

Approved by:


Richard J. Bruckner, Director of
Planning and Development
Department

ATTACHMENTS:

- ATTACHMENT A: Application & Taxpayer Protection Form
- ATTACHMENT B: Photographs & Survey Form
- ATTACHMENT C: Site Plan & Elevations
- ATTACHMENT D: Decision Letter from the Historic Preservation Commission

ATTACHMENT A:
Application & Taxpayer Protection Form

MASTER APPLICATION FORM

- Design Review (Ch. 17.61.030 P.M.C.)
 Certificate of Appropriateness (Ch. 17.62.090 P.M.C.)

Planning & Development Department
 175 North Garfield Avenue
 Pasadena, CA 91109-7215
 626.744.4009 fax: 626.793.5937
<http://www.cityofpasadena.net/planninganddevelopment>



Project Address 975 N HUDSON

Project Name DENNIS ESTRADA
 Project Description
MINOR CHANGE OUT - RETROFIT
+ LANTERNS

Applicant Architect Contractor Developer Other
 name: Dennis S. Estrada phone: (805) 976-2480
 address: 975 N Hudson Ave fax:
 city: Pasadena state: CA zip code: 91109 email:

Applicant Signature: [Signature] Date: 02-09-07
(note: if the applicant is other than the property owner, separate signed owner authorization is required)

Architect or Designer (for design review projects)
 name: phone:
 address: fax:
 city: state: zip code: email:

Property Owner
 name: Dennis S. Estrada phone:
 address: 975 N Hudson Ave fax:
 city: Pasadena state: CA zip code: 91109 email:

Primary Contact Person: Dennis S. Estrada Applicant Architect Property Owner

Proposed Work
 new construction demolition relocation restoration/rehabilitation addition/alteration sign/awning

Project Information (for staff use only)
 PLN 2007-00106 Review Authority staff Design Commission Historic Preservation Comm.
 PRJ _____
 staff initials: _____
 date accepted: _____
 date submittals rec'd: _____
 fee: \$ _____
 notification: \$ _____
 3% records fee: \$ _____
 TOTAL: \$ _____
 CEQA Review Exempt Pending Completed
 Historic Preservation Review Category 1 Category 2 (eligible) Category 3 (potentially eligible)
 Landmark/historic District _____
 district name _____
 Type of Design Review concept design review final design review consolidated design review
 Tree Removal yes no
 Public Art yes no completed

2/10/07

**Disclosure Pursuant to the
City of Pasadena Taxpayer Protection Act
Pasadena City Charter, Article XVII**

I. The value of this application has the potential to exceed \$25,000. Yes No (Applicant must mark one)

II. Please mark the appropriate box if this application is being made on behalf of one of the following 501(c) non-profit organizations. 501(c)(3) 501(c)(4) 501(c)(6)

Applicant's name: Dennis Estrada Date of Application: 2/5/07

Contact phone number (for questions regarding this form): (805) 962-9865

Owner's name: Dennis Estrada Type of Application: _____

Project Address: 975 N Hudson Ave

Project Description: Window Replacement

III. Owner must disclose all joint owners, trustees, directors, partners, officers and those with more than a 10% equity, participation or revenue interest in Owner and/or project. If any of these are an organization or entity, include the name of the organization/entity and the first and last names of all parties of interest of that organization or entity. (List all parties below and use additional sheets as necessary or provide all parties on an attachment) Please print legibly. Attachment No attachment

Names of Trustees, Directors, Partners, Officers of Owner	Names of Trustees, Directors, Partners, Officers of Owner (continued)	Those with more than a 10% equity, participation or revenue interest in Owner and/or Project
Dennis Estrada		100% owner

I hereby certify that I am the owner or designated agent and that the statements and answers contained herein, and the information attached, are in all respects true, accurate and complete to the best of my knowledge and belief.

Signature of Owner or Agent: [Signature] Date: 2/5/07

For office use only

Assigned Planner: Adrian Suzuki PLN#: PLN 7007-00106

Attached Address: _____ No Attached Address

Appealed Yes No Appealed PLN# _____ Application Withdrawn

Final Decision: Approved Denied Decision Date: _____ Decision Maker: _____

Votes in favor (please print):

**ATTACHMENT B:
Photographs & Survey Form**

ATTACHEMENT B: PHOTOGRAPHS



1988

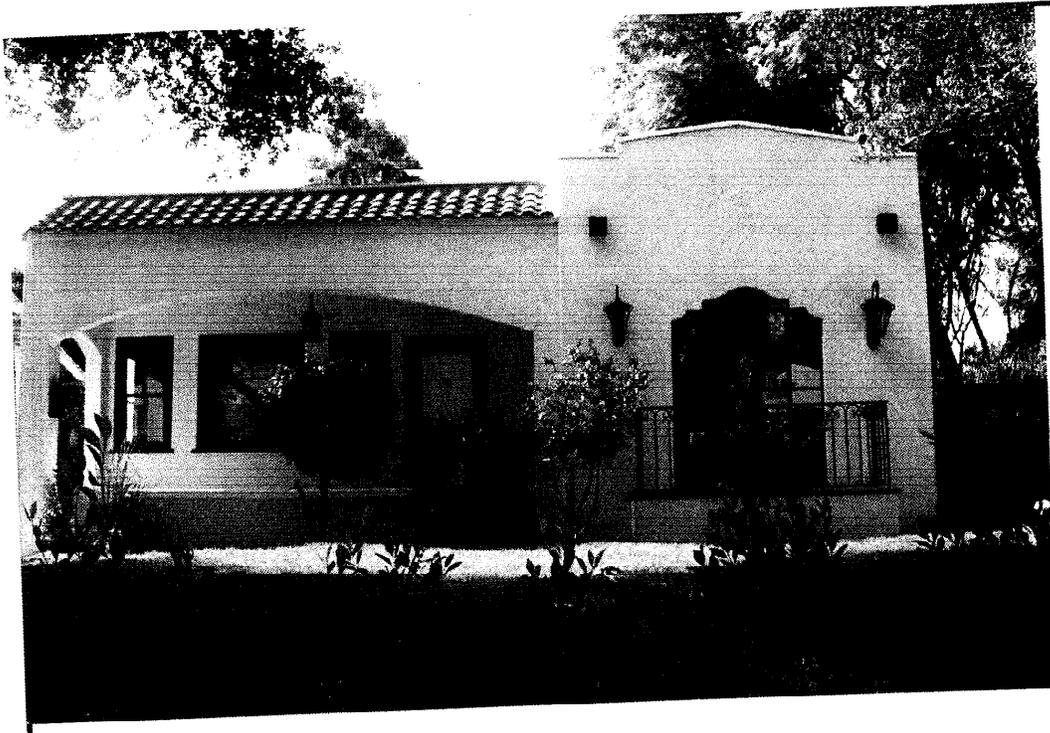


1992

ATTACHEMENT B: PHOTOGRAPHS



DATE UNKNOWN



EXISTING CONDITION

**ATTACHMENT C:
Site Plan & Elevation**



6"

12"

3 1/2"

11"

1 1/2"

10 inch

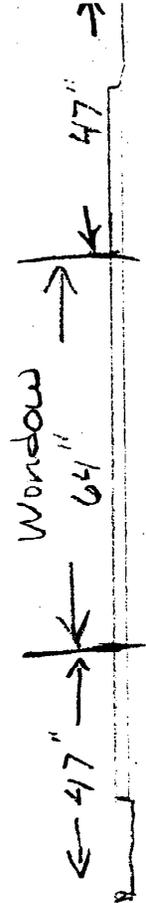
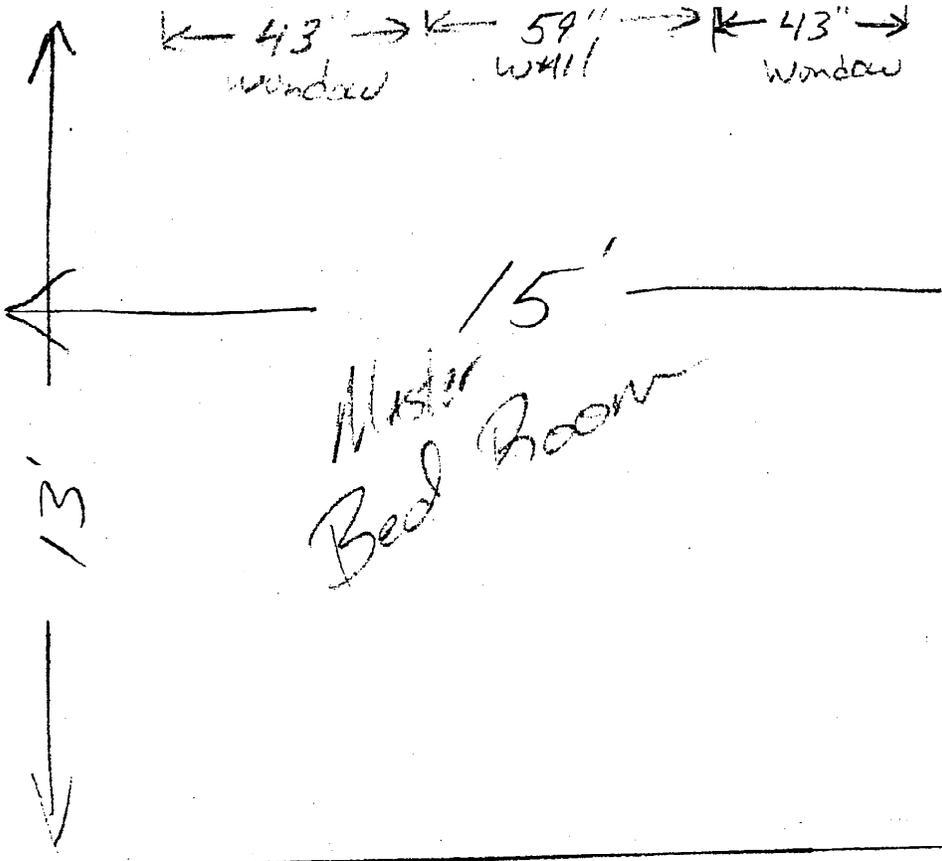
13"

6"

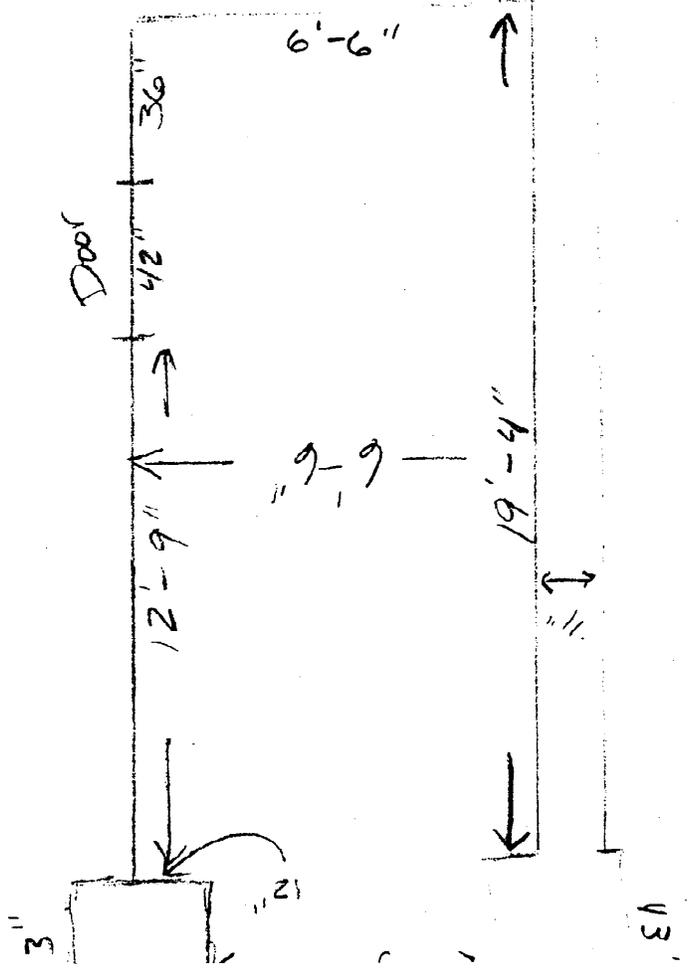
3 1/2"

6"

8"



N/S



**ATTACHMENT D:
Decision Letter from Historic Preservation
Commission**



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

May 17, 2007

Mr. Dennis Estrada
P.O. Box 23741
Santa Barbara, CA 93001

RE: DENIAL OF APPEAL OF CERTIFICATE OF APPROPRIATENESS
975 North Hudson Avenue (Washington Square Landmark District)
PLN2007-00236 Council District #5

Dear Mr. Estrada:

Acting under the provisions of Chapter 17.62 of the Pasadena Municipal Code, the Historic Preservation Commission, at a public hearing meeting on May 7, 2007 in the Permit Center's Hearing Room, considered your appeal of a staff decision to deny the proposed French door and balcony on the primary elevation of the house at 975 N. Hudson Ave.

At the hearing, the Commission:

1. Acknowledged that the project is **categorically exempt** from the California Environmental Quality Act (Article 19, §15331, Class 31, Historical Resource Restoration/Rehabilitation);
2. Found that the proposed door and balcony is **inconsistent** with the City's *Design Guidelines for Historic Districts*, the *Secretary of the Interior's Standards for Rehabilitation* and the *Secretary of the Interior's Illustrated Guidelines for Rehabilitating Historic Buildings*; specifically:

Balcony:

- Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements, shall not be undertaken (Secretary of the Interior's Standards, #3). *[The new balcony is a conjectural feature and creates a false sense of historical development]*

Mr. Dennis Estrada

May 17, 2007

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Door:

- When window or door replacement is necessary, match the replacement to the original design as closely as possible; very ornate windows that do not reflect the character of original windows are inappropriate; match the replacement also in the number and position of glass panes (Design Guidelines for Historic Districts, 7.10). *[The new door does not reflect the character of the original window, is overtly ornate, and it does not match the detailing and pattern of the original window.]*
 - A new design should be compatible with the window openings and the historic character of the building (Secretary of the Interior's Standards for Rehabilitation, Illustrated Guidelines). *[The new door exceeds the size of the original window opening.]*
 - Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence (Secretary of the Interior's Standards, #6). *[There is no documentary, physical, or pictorial evidence to justify the design of the door. However, there is sufficient documentation upon which to base an appropriate compliant design.]*
3. Based on these findings, **denied** the application for a Certificate of Appropriateness;
4. In order to restore the front façade of the house to its original state, the Historic Preservation Commission has requested the following information be provided in a new application for a Certificate of Appropriateness, to be reviewed by the Commission:
- a. Removal of the two new lanterns and balcony,
 - b. Details of new plaster work; to ensure minimal reducing the visibility of the patching that will be required to reduce the window opening to its original size, and
 - c. Additional review of a replacement window; to match the original window documented in pictorial evidence on file with the Planning Division.

More detailed information regarding the Commission's basis for this decision may be found in the staff report dated May 7, 2007 on file in the Design and Historic Preservation archives.

Effective Date Appeals Call for Review

This decision becomes effective on **Friday, May 18, 2007**. Before the effective date, the City Council may call for a review of this decision. In addition, you or any person affected by this decision may appeal it to the City Council **before the effective date** by filing an application for an appeal in writing with the City Clerk (6th floor, 117 E. Colorado Boulevard) with the fee of \$659.00. Appeals must cite a reason for objecting to a decision. Please note that appeals and calls for review are held as *de novo* hearings, meaning that the lower decision is set aside and the entire application is reviewed as a new proposal. The last day to file an appeal is **Thursday, May 17, 2007**.

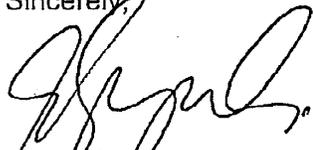
Mr. Dennis Estrada

May 17, 2007

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Please call me at (626) 744-4009 if you have any questions regarding this matter.

Sincerely,

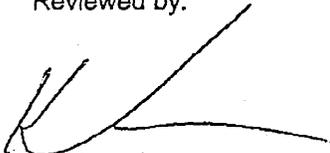


Adrian Suzuki

Planning Intern, Design and Historic Preservation Section

E-mail: asuzuki-agencytemp@cityofpasadena.net

Reviewed by:



Kevin Johnson

Planner

Design & Historic Preservation Section

Tel 626-744-7806; fax 626-396-7259

Email: kevinjohnson@cityofpasadena.net

Cc: Tidemark; address file; chron file; City Council, Field Representative (District 5), City Clerk, City Manager, Joseph Feinblatt (Washington Square Representative)

APPEAL APPLICATION

GENERAL INFORMATION: (Please print)

RECEIVED
Date: 5/17/07
07 MAY 17 A9:59

Appellant: Dennis Estrada
Mailing Address: P.O. Box 23741 CITY OF PASADENA
City: Santa Barbara State: CA Zip: 93101
Phone #: (day) 805 896-6024 (evening) (310) 456-2395 Fax #: (805) 652-0931
Contact Person: Dennis Estrada Phone #: _____
E-mail Address of Contract Person: TRONDSOL@Prodigy.net

Applicant (if different from appellant): _____

APPEAL APPLICATION

Application # _____ Date of Decision _____ Appeal Deadline _____

Property Address: 975 N Hudson Ave

I hereby appeal the decision of the: Balkony & French window's

The decision maker failed to comply with the provisions of the zoning ordinance in the following manner:
The new design of the window is consistent with the Mission Revival style, which my home is a Mission Revival style. the differential is that it is made by steel framing. the new balcony & steel window is compatible with the remaining character of the home.

If necessary, please attach additional sheets


Applicant's Signature

5/17/07
Date of Application

Activity # _____	Appeal Hearing Date _____
Application Fee: \$ _____	Received by: _____
Date Received: _____	