

ATTACHMENT C



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: OCTOBER 1, 2024

TO: HISTORIC PRESERVATION COMMISSION

FROM: JENNIFER PAIGE, AICP, DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: APPEAL OF THE DIRECTOR'S ELIGIBILITY DETERMINATION OF PROPOSED AMENDMENTS TO THE BUNGALOW HEAVEN CONSERVATION PLAN

RECOMMENDATION:

The staff recommends that the Commission:

1. Find that the application is categorically exempt from the California Environmental Quality Act (CEQA) California Admin. Code Title 14 Chapter 3, Article 19, Class 8, Section 15308, Actions by Regulatory Agencies for Protection of the Environment and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances. Class 8 exempts from environmental review actions taken by a regulatory agency that involve procedures for protection of the environment; and
2. Uphold the Director's July 1, 2024, decision that the proposed amendments to the Bungalow Heaven Landmark District Conservation Plan in Attachment B are eligible for approval under Pasadena Municipal Code (PMC) Sections 17.62.070.H.1 and 17.62.070.A.3.

BACKGROUND:

The Bungalow Heaven Landmark District was designated in 1989 for its strong collection of intact bungalows constructed from the turn of the century through the 1930s. The district's significant architectural styles include Craftsman, Spanish Colonial Revival, and Tudor Revival among others. The boundaries of the district did not originally include Holliston Avenue (between East Washington Boulevard and East Orange Grove Boulevard), which was added in 2004. Bungalow Heaven was the first landmark district designated in the City and is one of three landmark districts that has a Conservation Plan. The Conservation Plan was established to outline requirements for review of exterior changes to contributing and non-contributing properties within the district. Where the Conservation Plan conflicts with the

Historic Preservation Ordinance, the Conservation Plan prevails except in instances where the Conservation Plan is silent.

The process for Amending a Conservation Plan is the same as the process for designating a new Landmark District and includes an initial Eligibility Review by the Director to determine if the proposed amendments meet the findings for an amendment. Once an action on an Eligibility Review becomes effective, the applicant may submit an application for Formal Review, which would include public hearings by the Historic Preservation Commission, Planning Commission, and City Council.

An application for Eligibility Review of Amendments to the Bungalow Heaven Conservation Plan was filed on November 16, 2023. The proposed amendments include three major changes:

- Extending the period of significance to 1956. The period of significance is presently interpreted as ending in 1939 based on language in the original Landmark District adoption documents and Conservation Plan indicating that it reflects development “from the turn of the century through the 1930s.” This termination date leaves out a major portion of the Minimal Traditional and Ranch style homes present in the district, despite the fact that there are many homes of these styles that were built in the late 1930s that would be considered contributing properties based on the current interpretation of the period of significance.
 - This would result in approximately 67 properties’ statuses becoming contributing based on the updated period of significance.
- Making pro forma and terminology changes to recognize the 2004 expansion of the district and the 2021 revision of the Pasadena Historic Preservation Ordinance, including terminology updates.
- Appending an addendum providing a baseline list of the contributing and non-contributing resources within the landmark district.

On July 1, 2024, staff issued a Notice of Decision of an Application for Eligibility Review of Proposed Bungalow Heaven Landmark District Conservation Plan Amendments. The Notice of Decision found that the proposed amendments were eligible for approval under P.M.C. Sections 17.62.070.H.1 and 17.62.070.A.3. On July 10, 2024, two formal appeals were filed by two Bungalow Heaven residents. The first appeal, filed by Linda Buckingham, requested additional time to understand how the proposed will affect the approximately 67 properties that will receive a status change from non-contributing to contributing. The appeal also wanted to ensure due process by the Bungalow Heaven Neighborhood Association to collaborate with the affected homeowners.

The second appeal, filed by Jon Landis, stated disagreement with proposed expansion of the period of significance. The appeal argues that extending the period of significance to include homes constructed up to 1956 to include Minimal Traditional and Ranch style homes is not in keeping with the original intent of the landmark district and Conservation Plan. The appeal further suggests that the original 1939 termination date for the period of significance was merely a reflection of that year being 50 years prior to the year the landmark district was established and that a more appropriate termination year would be “1929, the end date of the Revival period.”

ANALYSIS:

Pursuant to PMC Section 17.72.070B. When reviewing an appeal, the Commission may:

- a. Consider any issues associated with the decision being appealed, in addition to the specific grounds for the appeal;
- b. Reverse, modify, or affirm, in whole or in part, the determination, decision, or action that is the subject of the appeal; and
- c. Adopt additional conditions of approval that were not considered or imposed by the original applicable review authority, deemed reasonable and necessary.

When reviewing an appeal, the Commission shall adopt findings in support of the intended action on the application. These findings are the same findings as required for the original decision.

In this case, pursuant to PMC Section 17.62.070.H.5, an eligibility determination of amendments to a conservation plan shall be based on the following findings:

- a) The proposed amendments are consistent with the purposes of Chapter 17.62; and
- b) The proposed amendments are in conformance with the goals, policies, and objectives of the General Plan; and
- c) The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

No new or additional information has been introduced since the appeals were filed and the original determination by staff as specified in the decision letter included as Attachment B is still applicable.

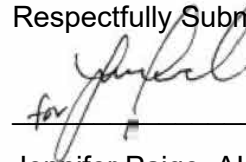
In response to the first appeal by Linda Buckingham, the Bungalow Heaven Neighborhood Association distributed a letter to the 88 property owners who would potentially be affected by the change in the period of significance in August 2024. The letter detailed the proposed change in period of significance and provided information on the upcoming appeal hearing. Of those 88, approximately 67 would undergo a status change from non-contributing to contributing. To date, the association has not received any responses or feedback.

In response to the second appeal by Jon Landis, Staff determined that the inclusion of Minimal Traditional and Ranch style bungalows was consistent with the expansion of the period of significance to 1956, which would capture the last large wave of development in the neighborhood. The Minimal Traditional and Ranch style residences in Bungalow Heaven maintain similar siting and other characteristics to those styles that preceded them as exhibited by current contributing properties, but applied in a more simplified design. Other landmark and historic districts, such as Historic Highlands to the north of Bungalow Heaven, have included these styles as significant styles, representative of a later wave of development. The expansion of the period of significance that will include these later styles and will encompass the nature of the bungalow typology applied to various architectural styles.

CONCLUSION:

Staff recommends that the Commission uphold the Directors' decision that the proposed amendments to the Bungalow Heaven Landmark District Conservation Plan are eligible for approval.

Respectfully Submitted,



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Attachments:

- A. Linda Buckingham Appeal Application
- B. Jon Landis Appeal Application
- C. Notice of Decision of Application for Eligibility Review of Proposed Bungalow Heaven Landmark District Conservation Plan Amendments
- D. Bungalow Heaven Landmark District Conservation Plan Amendment Application