

Agenda Report

TO: CITY COUNCIL

DATE: OCTOBER 12, 1998

FROM: CITY MANAGER

SUBJECT: APPEAL OF 180-DAY STAY ON ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS TO DEMOLISH STRUCTURES AT 180 SO.SAN GABRIEL BOULEVARD.

CITY MANAGER'S RECOMMENDATION:

It is recommended that the City Council reverse the August 17, 1998 decision of the Cultural Heritage Commission to stay for 180 days a Certificate of Appropriateness for demolition of the house, garage, and water tower at 180 S. San Gabriel Boulevard and approve the following revised recommendations from the Cultural Heritage Commission:

1. Find that new information, previously unavailable to the Cultural Heritage Commission, disqualifies the house and garage at 180 S. San Gabriel Boulevard from eligibility as a landmark under the criteria in P.M.C. §2.75.130;
2. Find that additional information, previously unavailable to the Cultural Heritage Commission, supports the eligibility of the water tankhouse on the site as a landmark under criteria A & D—but not E (P.M.C. §2.75.130); and
3. Issue a Certificate of Appropriateness for demolition of the house and garage and uphold the decision of the Cultural Heritage Commission to stay the certificate for demolition of the water tankhouse until the earlier of: a) its removal to a donee acceptable to the owner, applicant, and City staff; or b) 60 days (through December 11, 1998) to allow time to explore preservation of the structure; and
4. Acknowledge that the property owner and applicant consent to the stays cited in recommendation #3.

Executive Summary.

On October 5, 1998 the Cultural Heritage Commission, the property owner of 180 S. San Gabriel Boulevard, and applicant agreed to present the City Council with a new set of recommendations about the proposed demolition of the structures on this property. These recommendations modify a previous decision of the Cultural Heritage Commission, which the applicant had appealed to the City Council and focus preservation efforts on the water tower.

Background.

On July 7, 1998, the Cultural Heritage Commission determined that the property at 180 South San Gabriel Boulevard possesses sufficient historic and architectural significance to qualify for designation as a landmark under three criteria in the cultural heritage ordinance. Subsequently, on August 17, 1998, the Commission, acting within the provisions of the municipal code (§2.75.210), stayed demolition of the structures for an initial 180 days. The applicant, Paul Friedman of the Paul Howard Group, appealed this decision to the City Council. On September 14, the City Council, at the request of the property owner and developer, continued a public hearing on the appeal to October 12. The purpose of the continuance was to allow an opportunity for the Cultural Heritage Commission to reconsider its decision and to forward a new set of recommendations to the City Council.

The Commission met to reconsider its previous findings and decisions on October 5. At that time, it received new information from members of the two families, Graff and Chaffee, who successively have owned the property since 1908 (or 1913). This information effectively refuted associations between the property and citrus ranching and narrowed the historic significance of the site to one structure, the freestanding water tower (technically termed a "California domestic water tankhouse"). Consequently, the Commission adopted revised findings about the historic significance of the property at 180 S. San Gabriel Boulevard and requested the Council to limit a stay of demolition solely to the water tankhouse. It also approved a recommendation to stay the demolition of the tankhouse for only sixty days, instead of the 180 days allowed by code, for two reasons. First, it recognized that the developer and property owner proposed a sixty-day delay of demolition as an alternative to 180 days and, second, it recognized efforts already underway to move the structure to a new location. Ultimately, the Commission adopted this recommendation to the Council by a vote of three in favor and none opposed, with two abstentions and one member absent. During the discussion, two members of the Commission supported preservation of the water tankhouse on its existing site, and two members favored a stay of demolition beyond sixty days.

Recently, the developer of the proposed residential subdivision has advertised the availability of the structure for relocation in local newspapers. The Sunny Slope Water Company (at 1040 El Campo Drive, approximately one-half mile away from 180 S. San Gabriel Boulevard) has also expressed a tentative interest in receiving the structure on its 15-acre site.

Stays of Certificate of Appropriateness.

The municipal code allows the Cultural Heritage Commission to stay a Certificate of Appropriateness for demolition for a maximum of two, 180-day stays.¹ To stay an application, the Commission must find that the property qualifies for designation as a landmark and that the condition of the buildings and the site permit relocation. The code authorizes the Commission to lift a stay at any time if preservation is infeasible or efforts to preserve the buildings are successful or unsuccessful.

The cultural heritage ordinance requires "substantial evidence in the record" (§2.75.240 B) to support a finding of eligibility for landmark designation. In this instance, much of the "substantial evidence" now before the Commission was at first unavailable. Progressively, though, during subsequent meetings, the Commission received additional information from the property owners, and it relied upon this information to change its recommendations to the City Council. An updated summary of the significance of the property is attached to this report (ATTACHMENT A).

Because of the appeal, the Council is now the decision-maker about issuing or staying a Certificate of Appropriateness). Because of ongoing activities to relocate the water tankhouse, the staff believes that the revised stay period recommended in this report would satisfy the objectives in the statute for a delay of demolition and accomplish as much as might occur during a longer stay.

HOUSING IMPACT.

The new development on the site proposes nine, single-family houses. A stay of demolition is only a temporary measure and does not, by itself, affect the proposed subdivision.

IMPACT ON THE CITY'S REVIEW AND APPROVAL PROCESS.

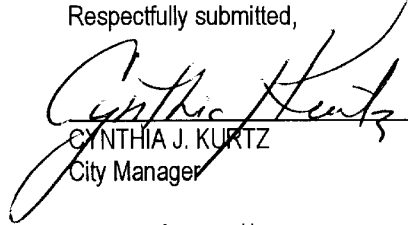
The appeal will not affect the City's review and approval process.

¹ *The maximum time period, by code, amounts to 425 days: an initial 45-day review period, followed by two, 180-days stays (both of which become effective on the 11th day after a decision).*


FISCAL IMPACT.

A stay of demolition is a temporary measure. The Subdivision Committee will be responsible for acting on the application to subdivide the property and construct nine, single-family houses. The Committee's decision will determine the extent of revenues to the City from property taxes, construction tax, and development impact fees.


Respectfully submitted,


CYNTHIA J. KURTZ
City Manager

Written by:


Jeff Cronin
Principal Planner

Approved by:


Darrell L. Lewis
Director of Planning & Permitting Dept.