



City of Arts & Innovation

Utility Services / Land Use / Energy Development Committee

TO: UTILITY SERVICES / LAND USE/ENERGY DEVELOPMENT COMMITTEE MEMBERS **DATE: JANUARY 13, 2020**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT **WARD: 1**

SUBJECT: P19-0487 CERTIFICATE OF APPROPRIATENESS – ON BEHALF OF RANDALL NEAL, AN APPEAL OF A DENIAL BY THE CULTURAL HERITAGE BOARD FOR THE AFTER-THE-FACT DEMOLITION OF AN EXISTING RESIDENCE, LISTED AS A NON-CONTRIBUTING STRUCTURE OF THE MOUNT RUBIDOUX HISTORIC DISTRICT, AND REPLACEMENT OF THE SINGLE-FAMILY RESIDENCE MAIN LEVEL, REPLACEMENT OF THE TWO-CAR GARAGE, AND EXPANSION OF THE BASEMENT – LOCATED AT 4674 BEACON WAY, SITUATED ON THE SOUTH SIDE OF BEACON WAY BETWEEN LADERA LANE AND REDWOOD DRIVE

ISSUE:

Consider the appeal, requested by Randall Neal, of the Cultural Heritage Board's denial of a Certificate of Appropriateness for after-the-fact demolition of an existing residence, listed as a non-contributing structure of the Mount Rubidoux Historic District and replacement of the single-family residence main level, replacement of the two-car garage, and expansion of the basement.

RECOMMENDATIONS:

That the Utility Services/Land Use/Energy Development Committee refer the case to City Council and recommend that the City Council:

1. Determine that that the project is exempt from the California Environmental Quality Act pursuant to Sections 15302 (Replacement or Reconstruction), 15331 (Historic Resource Restoration/Rehabilitation), and 15303 (New Construction or Conversion of Small Structures), as this project is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and will not have a significant effect on the environment; and
2. Uphold the appeal by Randall Neal and approve Planning Case P19-0487 Certificate of Appropriateness, based on the findings outlined in the Cultural Heritage Board Staff report and subject to the recommended conditions of approval.

CULTURAL HERITAGE BOARD DETERMINATION:

On November 20, 2019, the Cultural Heritage Board met with eight members present and one member absent and received a request for Certificate of Appropriateness by Broeske Architects & Associates, on behalf of Randall Neal, for the after-the-fact demolition, replacement of the single-family residence main level and two-car garage, and expansion of the basement for the property located at 4676 Beacon Way. Following discussion, the Cultural Heritage Board rejected Staff's recommended facts for findings, prepared substitute facts for findings, and denied the Certificate of Appropriateness request by a unanimous vote.

BACKGROUND:

The subject property is located in the Mount Rubidoux Historic District and surrounded by single-family residences.

The subject 0.49-acre property was developed in 1961 with a 1,340 square foot, one-story, Mid-Century Ranch style residence that included a basement and a 251 square foot two-car garage that was connected to the residence by a porch. The residence was listed as a non-contributor to the Mount Rubidoux Historic District and was not eligible for designation as a City Landmark or Structure of Merit because: 1) records indicate the design of the residence was not attributed to a notable architect or builder; 2) the residence was not associated with any persons or events significant in local, state or national history; and 3) the Mid-Century Ranch style of architecture is common throughout the City of Riverside.

Project Description

The applicant is requesting approval of a Certificate of Appropriateness (COA) for an after-the-fact demolition of the existing residence's main level (street level), and replacement of the residence's main level, replacement of the garage, and expansion of the basement.

The main level of the proposed single-story residence consists of the original 1,340 square feet footprint and a 707 square foot addition on the east side of the residence, totaling 2,047 square feet. The reconstruction of the two-car garage includes a 197 square foot expansion, for a total area of 448 square feet. Improvements to the existing basement will be below the street level and include an 826 square foot addition on the northeast side.

The design of the residence consists of a modern interpretation of the Farmhouse Ranch architectural style. The proposed residence and garage feature a variety of architectural details, including: a combination of gable, shed, and pent standing seam metal roofs, painted black; fixed and single-hung wood clad, fiberglass-framed windows, painted black; shiplap and vertical board siding, painted white; and stone veneer on the basement level in brown and gray colors.

Unpermitted Demolition

On September 3, 2019, staff became aware that the main level of the residence had been demolished without the necessary permits and approvals, and immediately began an investigation. The demolition and reconstruction of the main level of the residence was scheduled to be considered by the CHB on September 18, 2019. Because time was needed to investigate the unpermitted demolition, a continuance was approved by the Cultural Heritage Board (CHB) to the October 16, 2019 meeting. The investigation is still on-going, and penalties allowed under the Riverside Municipal Code (RMC) are being assessed by the various City Departments, along with

pertinent outside agencies that regulate such work, including the Contractors State License Board and the Air Quality Management District.

As a matter of information, remedies described in Section 20.40 - Enforcement and Penalties of Title 20 (Cultural Resources) for civil penalties and moratorium related to Cultural Resources, do not apply to the subject property. The subject property is a non-contributor to a Historic District and is not individually significant; it is, therefore, not a Cultural Resource as defined by Title 20.

DISCUSSION:

In hearing this appeal, the Utility Services / Land Use / Energy Development Committee will make their own determination and agreed upon findings based on the applicable Municipal Code provisions.

Staff's Facts for Findings

In the staff report prepared for the October 16, 2019 CHB meeting, staff made facts for findings (Attachment 1 – Page 3) in support of the COA. These include consistency with the Mount Rubidoux Historic District Design Guidelines, the Secretary of the Interior Standards for the Treatment of Historic Properties as applied to a Historic District and Title 20 of the Riverside Municipal Code.

Cultural Heritage Board Decision and Substitute Facts for Findings

On October 16, 2019, the CHB considered the COA and expressed concerns with the architectural design of the proposed residence, and its compatibility with the surrounding structures and the Mount Rubidoux Historic District Design Guidelines. The CHB recommended the creation of a CHB Subcommittee to work with the applicant to address the CHB concerns. Since the applicant was not present, the CHB continued the project to the November 20, 2019 meeting (Attachment 2).

On November 20, 2019, the applicant agreed to work with the CHB Subcommittee on the architecture of the proposed residence. During the meeting, the applicant indicated that he was aware of the requirements for a COA prior to the demolition of the former residence. Following discussion, the CHB withdrew its prior recommendation for the applicant to work with the CHB Subcommittee, rejected staff's facts for findings, and provided substitute facts for findings for denial of the COA. The project was unanimously denied by the CHB based on the substitute facts-for-findings (Attachment 3 – Page 6).

For additional background information, please refer to the CHB Minutes and Staff Report (Attachments 1, 2, and 3).

Appeal

The applicant filed a timely appeal of the CHB denial of the proposed project. The applicant's appeal is based on the following: 1) the former residence was not considered a Cultural Resource as defined by Title 20 of the RMC; and 2) the proposed project is consistent with the Chapter 8 (Infill Development Design Guidelines) for the Mount Rubidoux Historic District Design Guidelines (Attachment 5). The applicant agrees with staff's recommended facts for findings. A summary of the applicant's grounds for appeal and staff's response includes:

1. Comment: The former residence was not a Cultural Resource.

Response: The former residence was listed as a non-contributor to the Mount Rubidoux Historic District. Records were reviewed by staff and the former residence did not meet applicable criteria for local, state, or national designation. Title 20 (Cultural Resources) of the RMC defines a Cultural Resource as follows:

“Cultural Resources means improvements, natural features, sites, cultural landscapes, or other objects, which may reasonably be of scientific, aesthetic, educational, cultural, architectural, social, political, military, historical or archaeological significance. This includes designated cultural resources, eligible cultural resources, and contributing features to Historic Districts and Neighborhood Conservation Areas.”

The subject property does not meet this definition and, therefore, was not considered a Cultural Resource under Title 20.

2. Comment: The project is consistent with the Mount Rubidoux Historic District Design Guidelines. The Guidelines associated with the Historic District suggest that non-contributing residences should be sensitive to the “Neighborhood Zone” in which the residence is located.

Response: The approach to designing compatible infill developments is highlighted in this excerpt from the Mount Rubidoux Historic District Design Guidelines (Guidelines):

“New construction should suggest the design principles of the historic district. Size, scale, proportion, color and material are all important factors to consider in new building design. New design should allow for the awareness of modern technology and material usage, but in a manner sensitive to surrounding historic structures.

In taking all of the above factors into account, it is possible that a compatible design scheme will be thoroughly contemporary, without any overt historical references. Quality contemporary designs and materials are permitted granted they pass the above test for compatibility. They would serve to prove that compatibility goes beyond superficial visual similarities”.

The Guidelines establish the Neighborhood Zone, which encourages new building to be “compatible and complementary with their immediate neighbors and the entire Mount Rubidoux Historic District.” Also included in the Guidelines are nine principles for the design of contemporary buildings: 1) Articulate Large Masses; 2) Avoid Blank Walls; 3) Retain Scale of Components; 4) Maintain Similar Proportions; 5) Limit New Emphasis; 6) Use Compatible Textures; 7) Use Related Colors; 8) Screen Mechanical Equipment; and 9) Provide Compatible Roof Lines.

The proposed residence was analyzed for consistency with the Neighborhood Zone and the nine principles for the design of contemporary buildings and it complies based on the following:

- The project site is situated in an area of the historic district which consists primarily of non-contributors to the district.
- The proposed single-story residence is contemporary in design, like the adjacent residences, but is consistent with the larger scale and massing of the residences throughout the district which includes one-, two-, and three-story residences.

- The proposed residence is consistent with the nine principles found in the Guidelines through the use of similar scale, proportions, massing, and building height as the former residence; gabled and hipped roofs, which are common in the historic district; architectural details on all elevations; materials that are found throughout the historic district, such as wood siding and stone veneer; and subdued colors.

Public Comments

Following publication of the CHB staff report on November 7, 2019, staff received seven letters in opposition of the proposed project, and one letter in support (Attachment 6). Letters received prior to publication of the CHB staff report are included as an exhibit to that report. As presented by staff, comments provided on the letters did not include any additional items that have not already been addressed in the CHB staff report.

Conclusion

Based on the analysis above and the facts for finding contained in the CHB staff report, staff finds:

1. That the retroactive COA request for the demolition of the former residence's main level and garage is consistent with Title 20 of the RMC. The residence was listed as a non-contributor to the historic district and was not eligible for individual historic designation; therefore, its demolition will not negatively impact the Mount Rubidoux Historic District.
2. The proposed replacement main level and garage is consistent with Title 20 because the proposed residence is compatible with the size, scale, proportion, color, and materials found in the Mount Rubidoux Historic District.

FISCAL IMPACT:

There is no fiscal impact associated with this action, since all costs are borne by the applicant.

Prepared by: David Welch, Community & Economic Development Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Cultural Heritage Board Reports – October 16, 2019 & November 20, 2019
2. Cultural Heritage Board Minutes – October 16, 2019
3. Cultural Heritage Board Minutes – November 20, 2019
4. Applicant Appeal Request – November 27, 2019
5. Mount Rubidoux Historic District Guidelines
6. Comment Letters
7. Presentation