



*City of Arts & Innovation*

# City Council Memorandum

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**TO:** HONORABLE MAYOR AND CITY COUNCIL **DATE:** JANUARY 8, 2019

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

**DEPARTMENT**

**SUBJECT:** P18-0643 CERTIFICATE OF APPROPRIATENESS – AN APPEAL, ON BEHALF OF HOUSING AUTHORITY OF THE CITY OF RIVERSIDE, OF A DENIAL BY THE CULTURAL HERITAGE BOARD FOR THE DEMOLITION OF AN EXISTING DUPLEX LOCATED AT 3337-3339 FIFTH STREET, LISTED AS A NON-CONTRIBUTOR TO THE HERITAGE SQUARE HISTORIC DISTRICT

## **ISSUE:**

An appeal, by the Housing Authority of the City of Riverside, of the Cultural Heritage Board's denial of a Certificate of Appropriateness to demolish an existing duplex, listed as a non-contributor to the Heritage Square Historic District, located at 3337-3339 Fifth Street.

## **RECOMMENDATIONS:**

That the City Council:

1. Waive the appeal fee in the amount of \$2,529 for the Housing Authority of the City of Riverside to facilitate affordable housing development projects;
2. Determine that Planning Case P18-0643 is categorically exempt from the California Environmental Quality Act pursuant to Section 15301(L)(2) (Demolition of a duplex); and
3. Uphold the appeal by the Housing Authority of the City of Riverside and approve Planning Case P18-0643, based on the findings outlined in the attached Cultural Heritage Board staff report and subject to the conditions of approval.

## **CULTURAL HERITAGE BOARD DETERMINATION:**

On September 19, 2018, the Cultural Heritage Board met to consider a request by the Housing Authority of the City of Riverside to demolish an existing duplex located at 3337-3339, which is listed as a non-contributor to the Heritage Square Historic District. Following discussion, the Cultural Heritage Board rejected Staff's recommended facts for findings and denied the Certificate of Appropriateness request by a unanimous vote. CHB's denial was appealed to the Utility Services/Land Use/Energy Development Committee on October 1, 2018.

## **COMMITTEE RECOMMENDATION:**

On November 26, 2018, the Utility Services/Land Use/Energy Development Committee met with Chair Mac Arthur, Vice Chair Soubirous and Member Gardner present to consider an appeal of the Cultural Heritage Board's decision to deny a Certificate of Appropriateness to demolish an existing duplex listed as a non-contributor to the Heritage Square District located at 3337-3339 Fifth Street. Following discussion, the Committee unanimously recommended that the City Council: 1) waive the appeal fee in the amount of \$2,529 for the Housing Authority of the City of Riverside to facilitate affordable housing development projects; 2) determine that Planning Case P18-0643 is categorically exempt from the California Environmental Quality Act pursuant to Section 15301 (L)(2) (Demolition of a duplex); and 3) uphold the appeal by the City of Riverside Housing Authority and approve Planning Case P18-0643.

## **BACKGROUND:**

The Housing Authority of the City of Riverside is chartered under State of California Health and Safety Code Sections 342000 et. seq., with the mission of "...the clearance, re-planning and reconstruction of the areas in which insanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations for persons of low income...", which are declared a necessity to the public interest and of legislative determination and therefore of priority importance as the Authority carries out its health and safety mandate.

The duplex, located at 3337-3339 Fifth Street, was purchased by the Housing Authority of the City of Riverside via Resolution No. 8, adopted on December 19, 2017, with a finding that the building would require demolition. The staff report presented to the City Council and Housing Authority Board notes that the duplex was generally substandard with non-conforming improvements and an unpermitted garage conversion. An additional on-site inspection conducted on September 26, 2018 confirms that the structure is in substandard condition and presents a danger to persons accessing the site with a related liability to the Housing Authority, as well as ongoing costs for maintenance and security of the structure.

The building is listed as a non-contributor to the Heritage Square Historic District. The building was also evaluated for historic listing eligibility in the Historic Property Survey Report prepared for Phase I of the I-215 Improvement Project (March 1993). Based on this Survey Report, the building is considered ineligible for the National Register under any criteria.

As part of a Section 106 review for a Streetlight Project within the Heritage Square Historic District (2002), the duplex was given the National Register Status Code of 6Z1 – Ineligible for National Register with no potential for any listing.

## **DISCUSSION:**

The Housing Authority of the City of Riverside proposes to demolish the existing duplex and all associated site features, including walkways and planters. No new construction is proposed at this time.

Staff analyzed the proposed project in accordance with Title 20 of the Riverside Municipal Code and the Secretary of the Interior Standards for the Treatment of Historic Properties. Staff finds the

project to be consistent with both. The duplex at 3337-3339 Fifth Street is listed as a non-contributor to the historic district and its demolition will have no significant adverse impact on the Heritage Square Historic District.

On September 19, 2018, the Cultural Heritage Board held a public hearing on the demolition and rejected Staff's recommendation for the Certificate of Appropriateness. On October 1, 2018, the Housing Authority of the City of Riverside appealed the decision of the Cultural Heritage Board.

Title 20 of the Riverside Municipal Code does not have provisions for City Councilmember referral, and this project is subject to an appeal fee and process specified in Section 20.15.010 of the Riverside Municipal Code.

The Office of Homeless Solutions concurs with the recommendations in this staff report.

**FISCAL IMPACT:**

If the appeal fee is waived, the General Fund will not receive revenue of \$2,529 for the appeal process that otherwise would have been collected.

Prepared by: David Welch, Interim Community & Economic Development Deputy 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

Concurs with:



Chris Mac Arthur, Chair  
Utility Services/Land Use/Energy Development Committee

Attachments:

1. City of Riverside Housing Authority Appeal Letter – October 1, 2018
2. Land Use Committee Report and Attachments – September 19, 2018
3. Presentation