



*City of Arts & Innovation*

## CULTURAL HERITAGE BOARD

### Draft MINUTES

WEDNESDAY, NOVEMBER 20, 2019, 3:30 P.M.  
ART PICK COUNCIL CHAMBERS, CITY HALL  
3900 MAIN STREET

### Cultural Heritage Board Members

		LECH	TOBIN	GAMBLE	CUEVAS	PARRISH	FERGUSON	CARTER	BROWN	FALCONE
	WARDS	1	2	3	4	5	6	7	CW1	CW1
Roll Call:	<b>Present</b>		X	X	X	X	X	X	X	X
Vice Chair Parrish called the meeting to order at 3:30 p.m. with all members present, except Board Member Lech										
The Pledge of Allegiance was given to the flag.										
<b><u>PUBLIC COMMENT</u></b>										
There were no oral comments at this time.										
<b><u>DISCUSSION CALENDAR</u></b>										
HISTORIC DISTRICT STREET TREES – ROBERT FILIAR, URBAN FORESTER, CONTINUED TO JANUARY 15, 2020										
Scott Watson, Historic Preservation Officer, announced that Mr. Filiar was unable to attend the meeting today and requested that the item be continued to January 15, 2020.										
Motion to continue the update of Historic District street trees to the meeting of January 15, 2020.	Motion Second All Ayes		X	X	X	X	X	X	X	X
<b><u>PLANNING CASE P19-0487 – CERTIFICATE OF APPROPRIATENESS – 4674 BEACON WAY, WARD 1</u></b>										
Certificate of Appropriateness requested by Jim Broeske, 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. Scott Watson, presented the staff report. He stated that nine letters were received, 2 in support and 7 in opposition. Randall Neal, applicant, stated he had no objection to a continuation to allow him to work with the subcommittee on the design of the home. Comments from the audience: Virgil "Chuck" Hane and Bette Graff spoke in support of the proposal and noted that there is flexibility in the Mt. Rubidoux Historic District Design Guidelines. Vincent Moses cited Sections 8.0 – 9 of the Mt. Rubidoux Historic District Design Guidelines which address in-fill projects, grading at the site, and compliance with laws. Sue Mitchell spoke in opposition to the demolition and inappropriate design. Following discussion, a motion was made by Board Member Brown, to deny the Certificate of Appropriateness for the retroactive demolition and the proposed design of the home, for the following reasons: 1. The Demolition of the structure was intentional, unpermitted and otherwise inconsistent with the requirements of the Riverside Municipal Code. 2. The Demolition was undertaken in a manner potentially injurious	Motion Second All Ayes		X	X	X	X	X	X	X	X



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<p>to neighboring property owners as indicated in written testimony provided by neighboring property owners. 3. The owner and/or his agent/architect were aware prior to demolition of the requirements of the Riverside Municipal Code as it related to the demolition of the structure. 4. The demolished structure has been located within the Mt. Rubidoux Historic District for a quarter of a century and the requirements of the Riverside Municipal Code were or should have been known by the owner and/or his architect. 5. Potential buyers were informed of the requirements of the Riverside Municipal Code, contacted the City Planning Division for information regarding the requirements of the City of Riverside. Indicating that requirements of the Riverside Municipal Code were known to potential purchasers and he believed that Mr. Neal's testimony suggests those requirements were known to him. 6. Despite being aware of the requirements of the Riverside Municipal Code, the owner elected to unilaterally demolish the structure based upon his determination that the structure needed to be taken down. 7. Having reviewed in their entirety the plans/specifications submitted, they are not consistent with the specific requirements and/or the intent of the Mt. Rubidoux Historic District.</p> <p>Board Member Gamble stated that when reviewing this proposal there are missing pieces, this is not complete. Title 20 is clear regarding what needs to be submitted in order for the Board to approve or disapprove. She noted that there is no landscaping. Looking at the building and site, it does not address the decorative fencing currently there, what will happen to the landscaping currently there. Also, this does not address the Title 20 and Mt. Rubidoux Historic District Design Guidelines of blending in with its surroundings. With regard to the limestone surrounding the home: the historic guidelines are clear as to blend in, match or contribute to other contributing houses, not the non-contributing. According to staff's October 16, 2019 report, it was based on comparisons with non-contributing homes. It is very clear in Title 20 and the historic district guidelines, we are not to look at the non-contributing structures. Again, the use of shiplap is not compatible with the contributors in the area. These were her main points with regard to the landscaping and current design proposal for the structure.</p> <p>Board Member Falcone stated that at the October 16<sup>th</sup> meeting, he noted that the proposed design was clearly a modern interpretation of a farm house. He noted that page 24 of the Mt. Rubidoux Historic District Design Guidelines mentions infill being compatible with contributors of the district.</p>									



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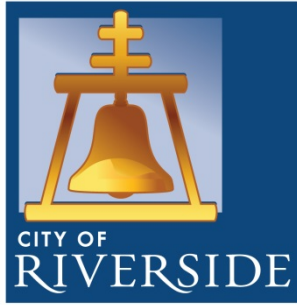
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<p>He inquired how staff has drawn their conclusion, where are the farm houses in the Mt. Rubidoux Historic District?</p> <p>Mr. Watson replied that there is one property just down the hill from the site that is a mid-century ranch home with similar elements such as board and vertical siding that was the interpretation.</p> <p>Board Member Falcone stated he would underscore many of comments made by Board Member Gamble when it comes to the new design. The Mt. Rubidoux Historic District Design Guidelines is the bible for the historic district. He took umbrage with the fact that a homeowner in the district cannot just skim through this document without the advice of an authorized professional opinion as to whether a rendering is within those guidelines. This is not something just any architect can decide when there is a historic district and design guidelines such as this so easily accessible. The terminology on page 24 of the design guidelines are so clear and specific, "the single most important issue of infill development is one of compatibility especially when considering larger homes...." Measures need to be taken so that the height and bulk, do not impact neighboring historic structures.</p> <p>Board Member Tobin recalled that at the last meeting, there was a recommendation to form subcommittee of this board, are those three members still interested in meeting with applicant?</p> <p>Board Member Gamble stated that after hearing testimony today, she didn't see a point for the three members to meeting with the applicant. It is very clear in the Mt. Rubidoux Historic District Design Guidelines and Title 20 that the applicant has the information he needs.</p> <p>Mr. Watson responded to the earlier inquiry and stated that 3607 Mt. Rubidoux, is a mid-century ranch style house. Staff felt that there were certain elements and materials seen between this home and the proposed design which is how staff made their determination of compatibility.</p> <p>Board Member Falcone stated that he cannot support that determination. As Board Member Gamble stated, he was also one of the three subcommittee volunteers. Based on today comments and the applicant's knowledge of the home being in a historic district and what appears evidence of contempt for the law and process, he cannot ethically or in good faith support the subcommittee. He added that he would not want to be a part of subcommittee this time.</p>									





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<p>MOTION by Board Member Brown to add this item to the agenda today so that the Cultural Heritage Board may consider the letter of support. Findings for this is due to this item coming to the Board's attention subsequent to the posting of the agenda and the need to take action on this in order to facilitate the grant application prior to the December 10<sup>th</sup> due date.</p> <p>Motion Carried.</p>									
<p>MOTION by Board Member Tobin to support and authorize the Cultural Heritage Board Chair to sign a letter of support of the Harada House Grant Application subject to the authorization of the City Council.</p> <p>Motion Carried.</p>									
<p><b><u>ADJOURNMENT</u></b></p> <p>The meeting was adjourned at 5:10 p.m. to the meeting of January 15, 2020 at 3:30 p.m.</p>									

**P19-0487 - CULTURAL HERITAGE BOARD FINDINGS – November 20, 2019**

<b>Chapter 20.25.050 – Principles and Standards of Site Development and Design Review</b>			
<b><i>The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Facts:</b></p> <ul style="list-style-type: none"> <li>This finding is applicable because the entire Mt. Rubidoux Historic District is a <b>cultural resource</b> as defined by Title 20, CEQA, the California Register of Historic Resources, and the National Register of Historic Places.</li> </ul> <p>Mt. Rubidoux Historic District Design Guidelines, Page 3, Section 2.4, Archeological Significance – <b>“The entire Mount Rubidoux Historic District should be viewed as an archaeologically significant area,</b> according to research done by the University of California, Riverside. The most prominent site, Spring Rancheria, on the northwest slope of Indian Hill (also known as Little Rubidoux), is an archaeological site which provides a great deal of information about the Indians who lived in and around Riverside during its early years, from the 1870s into the 1890s”</p> <p><b>“The Spring Rancheria site has been determined eligible for listing in the National Register of Historic Places due to its historical and archaeological significance.”</b></p>			
<b><i>The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Facts:</b></p> <ul style="list-style-type: none"> <li>The proposed structure is incompatible with nearby contributing structures. The height and bulk of the proposed structure affects the views of the district and from nearby structures. Compatibility must be assessed from a larger area than structures with no slope or grade.</li> </ul> <p>Mt. Rubidoux Historic District guidelines dictate:  Page 2, Section 2.2, Physical Setting – <b>“Strong slopes in the natural terrain allow the buildings to be seen from above as well as at street level; therefore, their design affects a greater sphere</b> than in a neighborhood with little grade change. The <b>views seen from the public areas</b> have also been traditionally important to the character of the area and should be preserved.”</p> <p><b>“The Cultural Heritage Board, in its review of construction plans for the District, considers the maximum retention of vistas and natural topographic features including ridge lines, slopes, and rock outcroppings.”</b></p> <p>Page 24, Section 8, Infill Development Design Guidelines - <b>“The single most important issue of infill development is one of compatibility, especially when considering larger homes. When such projects are developed adjacent to older single family residences, measures need to be taken to ensure that the height and bulk of these infill projects do not negatively impact neighboring historic structures. Building height, mass and site setbacks should be compatible.”</b></p> <p>Page 26 Section 8.5 General Guidelines for Contemporary Buildings – <b>“For contemporary buildings, the over-riding principle of design is to be compatible with appropriate buildings within the Neighborhood Zone.”</b></p>			



**Chapter 20.25.050 – Principles and Standards of Site Development and Design Review**

<b><i>The colors, textures, materials, fenestration, decorative features and details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent Cultural Resources.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Facts:**

- Height of the proposed infill structure is significantly higher than the demolished structure.
- Fenestration – large windows are planned that will significantly impact adjacent and nearby structures and views.

<b><i>The proposed change does not adversely affect the context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Facts:**

- The increased massing of the proposed structure will adversely affect the context and nearby historic structures, per the above, and:
- Mt. Rubidoux Historic District Guidelines, page 1, section 1.1, Intent: Discouraged Cases: *new infill dwellings located within the Mount Rubidoux Historic District not reflective of **traditional height, scale, bulk or massing**; additions to existing historic structures not respecting traditional roof forms, **building massing**, or the architectural style of the original structure.*

<b><i>The proposed change does not adversely affect an important architectural, historical, cultural or archaeological feature or features.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Facts:**

- This finding is applicable because the entire Mt. Rubidoux Historic District is a **cultural resource** as defined by Title 20, CEQA, the California Register of Historic Resources, and the National Register of Historic Places.
- The level of excavation is irrelevant, the determination that the district is eligible for listing is sufficient to determine that this criterion applies. The potential adverse effect must be assessed.

**Chapter 20.25.050 – Principles and Standards of Site Development and Design Review**

<b><i>The application proposal is consistent with the Citywide Residential Historic District Design Guidelines and the separate guidelines for each Historic District.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Facts:</b> <ul style="list-style-type: none"> <li>The proposed structure must be compared to nearby contributing structures, not non-contributing.</li> <li>While presented as single story, the height of the new construction is consistent with a two or three floor structure. Due to the slope and grade of the historic district, the new structure must maintain the height of the previous structure so as not to adversely impact the view of other resources and appearance of the district.</li> </ul>			
<b><i>The application proposal is consistent with the Principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.</i></b>	<b>N/A</b>	<b>Consistent</b>	<b>Inconsistent</b>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Facts:</b> <ul style="list-style-type: none"> <li>Due to the site classification as an archeological resource, the Secretary of Interior standards for structures do not apply. Without an EIR, as dictated by CEQA, the removal of, or impact on, historic resources has not been determined.</li> </ul>			

**AUTHORIZATION AND COMPLIANCE SUMMARY**

<b>Regulatory Codes</b>	<b>Consistent</b>	<b>Inconsistent</b>
<b><i>Historic Preservation Code Consistency (Title 20)</i></b> <ul style="list-style-type: none"> <li>As part of the Mt. Rubidoux Historic District, the property has been determined eligible for listing on the California Register of Historic Resources, and the National Register of Historic Places, therefore it is classified as a cultural resource and Title 20 applies.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b><i>Zoning Code Consistency (Title 19)</i></b> <p>The proposed residence complies with the development standards of the Zoning Code. As a matter of information, a Variance (VR-0011-601) for the substandard front yard setback was granted in 1961 for this site. The proposed residence and garage comply with the previously approved Variance.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## ENVIRONMENTAL REVIEW

The replacement of a single family residence, compatible with the historic resource (Historic District) and consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Sections 15302 (Replacement or Reconstruction) of the CEQA Guidelines, 15331 (Historical Resource Restoration/Rehabilitation), and 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

Response:

Construction within a district determined to be eligible for listing as a cultural resource for Archeological potential is subject to CEQA standards.