Honorable Mayor and City Council, City of Riverside, Ca

Re. Planning Case P19-0487 (Certificate of Appropriateness, Cultural Heritage Board) Letter of Appeal

Please let this letter serve as a request to appeal the Cultural Heritage Board denial of November 20, 2019, regarding the remodel/addition of the home at 4674 Beacon Way, Riverside.

At the CHB hearing of October 16, 2019, the Planning staff (Scott Watson) presented our request for a Certificate of Appropriateness for "after-the-fact" demolition of portions of the existing residence's main level and garage and the expansion of the subterranean basement level. The staff indicated that the design of the proposed addition and remodel is considered a modern interpretation of the "Farmhouse Ranch architectural style". The property is located within the Mt. Rubidoux Historic District but is **not** considered a historically significant house because of the age of the home and the fact that no significant architectural qualities contributed to the original design or its history. The home is considered a "non-historical" structure but is subject to CHB review/approval with the Certificate. The remodel is subject to the Guidelines that are associated with the District home remodel and additions of "non-contributing" residences and should be sensitive to the "Neighborhood Zone" in which the home is located. The residence is located at the top of Beacon Way and is among six out of seven "non-contributing" residences and two vacant lots on Beacon Way. This immediate vicinity constitutes the "Neighborhood Zone" which will dictate the design guidelines and constraints for the remodel and addition.

The **Design Guidelines** permits construction of contemporary buildings within the District following specific criteria that is compatible with its "Neighborhood Zone". The Guidelines Section 8.5 (Design Guidelines for Contemporary Buildings) articulates specific criteria for remodels similar to the proposed improvements. They are summarized below:

1. **Articulate Large Masses:**
    - The proposed design specifically avoided a "box-like" design by providing horizontal and vertical articulation of the new elevations with deep shadow relief and wood

board siding wall materials. The design also introduced various lower arcade structures to break up the massing.

2. **Avoid Blank Walls:**
   - The home is articulated on all four sides even though the public will primarily only view the street elevation due to the extreme steep slopes and limited vantage opportunities the site presents. All walls are designed to avoid blank wall appearances.

3. **Retain Scale of Components:**
   - The proposed remodel/addition design specifically retained the scale of the existing home. The existing home was a three-bedroom residence and single car garage with extensive roof overhangs, breezeway area, and covered patios. The new proposed two-bedroom home and double car garage expansion are almost entirely within the roof overhead projection of the existing roof except for the expansion of the low roof Master Suite of about 400 SF. The ridge of the new roof is only about 8' higher than the ridge of the original home. The existing homes surrounding the lot and within the Neighborhood Zone of non-contributing homes are of equivalent scale and size.
4. **Maintain Similar Proportions:**
   - The proposed design specifically addresses the unique site conditions of the 360-degree views. The existing extensive patios around the home are being preserved and the remodel/addition will occupy the area directly above the existing lower supporting sub-basement levels which will remain.

5. **Limit New Emphasis:**
   - We introduced various low-roof arcade structures to emulate the front eave line character of the existing home to break up the massing and to be compatible with the adjacent homes within the Neighborhood Zone. The function layout of the remodeled home is very similar to

the original residence layout and preserves the character of the entry arcade that exists in the original plan and elevation.

6. **Use Compatible Textures:**
   - The exterior building wall materials are simple wood siding and stone veneer and will be compatible with the adjacent homes within the Neighborhood Zone.

7. **Use Related Colors:**
   - The original home was white colored plaster and the new home will be painted white wood siding which will be compatible with the adjacent homes within the Neighborhood Zone.

8. **Screen Mechanical Equipment:**
   - No mechanical equipment will be visible on the exterior of the home or the street frontage.

9. **Provide Compatible Roof Lines:**
   - The roof line ridge is only about 8' higher than the original ridge line and is compatible with the appropriate buildings in the Neighborhood Zone. Lower arcade roofs are introduced to articulate the design and to break up taller walls to be comparable to the existing home.

The Planning staff recommended approval of our application at the October 16, 2019 CHB meeting, and found that our proposed design met the deign criteria of the Guidelines and was appropriate to the Neighborhood and District. Their findings and recommendations are summarized below:

- The proposed residential style (Modern Farmhouse Ranch) is consistent with other non-contributing structures within the Historic District and the residence uses materials consistent with those found throughout the District including the proposed siding and stone.
- The proposed single-story remodel/addition matches the height, scale, and massing of the existing residence. The adjacent

residences are two and three-story homes in height and the proposed project is consistent with the height, scale, and massing of the adjacent Cultural Resources.

- The proposed residence and garage are situated primarily in the same locations as the original home being replaced. The perimeter and limits of the improvements will be contained within the boundaries of the existing patio decks and retaining walls. There will be no change in relationship to other properties within the District.
- The proposed home does not adversely affect important architectural, historical, cultural, and archaeological features since the new structure is situated directly over the layout of the existing home and no new work is proposed beyond the perimeter of the retaining wall boundaries.
- The proposed Project is constant with the Citywide Residential Historic District Guidelines and compatible with the immediate neighborhood residences.
- The proposed Project is consistent with the Principles of the Secretary of the Interior's Standards for the treatment of Historical Properties and will be compatible with other residences throughout the District in terms of scale, massing and use of materials. The proposed features of the Farmhouse Ranch style exist throughout the District and will be consistent with the neighborhood.
- The proposed residence complies with the development standards of the Zoning Code.

The CHB did not agree with the proposed recommendation for approval of the Certificate and assigned a subcommittee to meet with the Owner and Architect to see if certain design features could be modified to meet their expectations for the proposed remodel/addition. Thus, continuing the review until the November 20th meeting. On October 17th I notified the Planning staff (Scott Watson) that the Owner would be willing to meet with the assigned subcommittee as soon as possible to discuss potential modifications to the Project. On October 21st we were informed that the assigned subcommittee would **not be able to meet** until after the next November hearing date and that the Owner would need to be present to acknowledge his willingness to meet.

11/27/19

At the November 20, 2019 meeting the Owner indicated that he and the Architect would be willing to meet ASAP to get the Project moving forward. After a lengthy CHB discussion the Board withdrew the invitation to have the subcommittee meet for potentially modifying the design. This was extremely surprising and regrettable since the Project application for the Certificate of Appropriateness was subsequentially denied by the board at that meeting without the opportunity to obtain additional guidance on the elements of the design that they found incompatible.

Respectfully,

Randy Neal
2911 Brockton Ave
Riverside, Ca 92501

951-316-7707

Date: 01-13-2020
Iten No.: 1

From: Edwards, Erin <EEdwards@riversideca.gov>
Sent: Sunday, January 12, 2020 11:31 AM
To: Nicol, Colleen <CNicol@riversideca.gov>
Subject: Fwd: [External] Farm house on Beacon way

Colleen,
Can you please ensure that Linda's feedback is shared with the other Land Use members for tomorrow's meeting? Thank you,
Erin

Get Outlook for iOS

From: Edwards, Erin <EEdwards@riversideca.gov>
Sent: Sunday, January 12, 2020 11:29:24 AM
To: linda goodman <puppydogteacher@gmail.com>
Subject: Re: [External] Farm house on Beacon way

Thank you, Linda, for your feedback. I will make sure it is shared with the other committee members, as well. Have a nice Sunday,
Erin

Get Outlook for iOS

From: linda goodman <puppydogteacher@gmail.com>
Sent: Sunday, January 12, 2020 10:21:54 AM
To: Edwards, Erin <EEdwards@riversideca.gov>
Subject: [External] Farm house on Beacon way

My name is Linda Goodman. I have been a resident on Indian Hill Road since 1984. I remember the long, hard fight to turn our area into an Historic District. There were lots of meetings with our council member and with the City Counsel. We had neighborhood meetings as well.

I would like you to know that I am adamantly opposed to anyone who wants come in to this Historic District and violate , or seek "approval" to violate the rules of this beautiful, hard fought for Historic District.

Since I am housebound and unable to attend the meeting, I hope this letter will suffice to express my opinion on the matter of the "Farm House on Beacon Way. My vote is definitely NO!!

Thank you,

Linda Goodman 4764
Indian Hill Road
Riverside 92501
951-784-9070

Date: 01-13-20
Item No.: 1

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From: Carol McDoniel <camcdoniel@sbcglobal.net>
Sent: Monday, January 13, 2020 10:18 AM
To: CCondor@riversideca.gov; Edwards, Erin <EEdwards@riversideca.gov>; Fierro, Ronaldo <RFierro@riversideca.gov>; Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] Land Use committee meeting Jan 13, agenda item 1

Dear Council Members and City Clerk,

Please see the attached letter concerning Agenda item 1 for today's Utility Services/Land Use/Energy Development Committee, the Certificate of Appropriateness for the demolition and replacement structure of the home on Beacon Way, Planning Case P19-0487.

Please consider this information prior to today's meeting.

City Clerk, please record this letter with the public comments.

Thank you for the time you give to serving our community.

Sincerely,

Carol McDoniel
Ward 1 resident

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

January 13, 2020

Utility Services/Land Use/Energy Development Committee
c/o City Clerk
3900 Main Street, 7th Floor
Riverside, CA 92522

RE: January 13 meeting, Agenda Item 1, Planning Case P19-0487

Dear Committee Members,

I am writing to oppose the approval of the Certificate of Appropriateness for the demolition and replacement structure of the home on Beacon Way, Planning Case P19-0487.

At their November meeting, the Cultural Heritage Board analyzed the facts of this case and showed true leadership by denying the approval. Utilizing city, state, and local laws and guidelines, they assessed the facts before denying the approval.

One fact of the case is very simple. Beacon Way is located within the Mt. Rubidoux Historic District. In 1993, when the city of Riverside adopted the Mt. Rubidoux Historic District Design Guidelines, it was determined that the entire District is a cultural resource and eligible for listing on the National Register of Historic Places. This determination dictates that the California Environmental Quality Act (CEQA) and Title 20 of the Riverside Municipal Code both apply to this property. The staff report is wrong when it states they do not. The staff report is looking at only the demolished structure when it should also consider the land. **Based on the existing ruling that Title 20 applies, approval of the Certificate of Appropriateness cannot be granted.**

The request for the COA also addresses a replacement structure. The staff report analysis of the replacement structure compares the proposed design to structures that are NON-contributors to the historic district. The city-adopted Design Guidelines state **all new construction within a historic district must be compared to *contributing* structures**. This is why the guidelines exist. The staff report ignores that guideline.

In addition, **the size of the replacement structure is far larger in height than the demolished structure.** The staff report only addresses the footprint, not the elevation. This is also contrary to the district's Design Guidelines that state the replacement cannot negatively affect existing views.

The CHB's decision on this case is not based aesthetics or opinion—it is based on California law and city regulations. Approval of this case would be contrary to these laws. I urge you to uphold the CHB's decision and deny the request.

Sincerely,

Carol McDoniel
Resident, City of Riverside
MA, Historic Preservation

Date: 01-13-20
Item No.:1

From: cathy decker <bcjldecker@sbcglobal.net>
Sent: Monday, January 13, 2020 10:57 AM
To: Edwards, Erin <EEdwards@riversideca.gov>
Subject: Re: [External] Home on Beacon Way

Thank you Ms. Edwards,

I believe Mr. Neal has been treated very unfairly and vilified by Philip Falcone during the Cultural Heritage Board meetings as well as our neighborhood blog administrator, Don Morris.
Mr. Neal did have a reason that he demolished the home on Beacon Way before the permits came through, because of the homeless population from the river bottom destroying the old home and setting fires on his patio. Yes, he was premature in doing so. My husband and I live next door to his proposed home (in the only contributing home at the top of Beacon Way) and the last two years have been terrible with the nightly party people and vagrants sleeping in there cars in front of the property. We never get the police up here to help!!!! We have given up calling.

Mr. Morris has spread fear in the neighbors, in order to rally their support against Mr. Neal, saying he has endangered the neighborhood. Talk about asbestos flying around the neighborhood and the prospect of boulders rolling down the hill endangering lives. This is all BS since Mr. Neal took appropriate actions hiring an Asbestos removal company and taking care to insure the demolition was done safely. The house that was demolished. did not contribute to the historic district and I hate to sound crass, but it was an ugly little home with a million dollar view.

I think the Cultural Heritage Board is being very unreasonable and I feel Mr. Neal's proposed home will be an asset to the neighborhood.

Thanks for listening.

Cathy Decker

Sent from my iPhone

On Jan 13, 2020, at 9:32 AM, Edwards, Erin <EEdwards@riversideca.gov> wrote:

Cathy,
Thank you and Bruce for your comment. I will make sure to send it to the City Clerk so it can be distributed to other committee members, as well.
Have a wonderful week,
-Erin

Councilmember Erin Edwards
City of Riverside
Ward 1
RiversideCA.gov

From: cathy decker <bcjldecker@sbcglobal.net>
Sent: Monday, January 13, 2020 9:26 AM
To: Edwards, Erin <EEdwards@riversideca.gov>
Subject: [External] Home on Beacon Way

Hello Council members,

Concerning the meeting today about the proposed home to be built up on Beacon Way, we are in support of the building of Mr. Neal's home, and we live next door to his property. Some of our neighborhood is up in arms because Mr. Neal demolished the home before the appropriate blessings of the city. My husband and I were very happy to see the home torn down as it did absolutely nothing to enhance the neighborhood. There are 3 ranch style homes in the Mount RubidouxHistoric District and I feel Mr. Neal's home would be a nice addition to our street.

Bruce and Cathy Decker

Sent from my iPhone

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Date: 1-13-20
Item No.: 1

From: Nancy Parrish <factsgirl@aol.com>
Sent: Friday, January 10, 2020 7:56 AM
To: Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] Land Use Committee Meeting : Monday, January 13, 2020 Comments

Dear Councilmembers Conder, Edwards & Fierro, Land Use Committee:

I am emailing you my comments because I am unable to attend the meeting listed above where the action item involving the Certificate of Appropriateness (COA) for a property located at 4674 Beacon Way will be discussed (Case P19-0487).

I urge you to read the copious minutes of the November 20, 2019 Cultural Heritage Board meeting where this item was **denied** (pages 6-9 list point by point the objective findings to mark all items "inconsistent" and making this request *consistent* with the requirements of Title 20 & CEQA). Please note, that in every finding category, the CHB had objective *facts* that refuted the opinions of the Historic Preservation Officer's presentation. Much thought and consideration was given to this motion, and it had the unanimous agreement of the entire 8 members in attendance.

It is of the utmost importance, in our city comprised of many historic districts and potential neighborhood conservation areas, that we follow the rules set forth by the City. And that we *objectively* consider the recommendations made by the Cultural Heritage Board , whose representatives are appointed by each council member and the based on the Mt. Rubidoux Historic District Guidelines. As you can see, this agenda item took two meetings of discussion to come to a conclusion. It is also noteworthy that of the 25+ CHB meetings that I have attended, the two concerning the illegal demolition of the Beacon Way house, by far had the greatest attendance of City residents attending to comment. I would estimate that 75% of them were in support of the CHB's findings and recommendations that the Certificate of Appropriateness NOT BE issued.

Thank you for your consideration and if I can answer any questions, please do not hesitate to contact me via email &/or phone.

Sincerely,

Nancy Parrish, Ward 5
8410 Cleveland Avenue
Riverside, CA 92504
(714)803-4315 cell/text
(951)509-7682 home

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Date: 1-13-20
Item No.: 1

From: Maggie Herrera <maggiejos81@gmail.com>
Sent: Friday, January 10, 2020 1:12 PM
To: Nicol, Colleen <CNicol@riversideca.gov>
Subject: [External] Land Use Committee

Regarding the home on Beacon Way on Mount Rubidoux:

If building were delayed, it would be a danger and a liability to have an empty lot surrounded by just a fence, while there are children and skateboarders who could be injured during the time of vacancy and it could also be an invitation for the homeless to move in. And, it would also be an eyesore to the neighborhood for anyone trying to sell their home on Beacon Way.

Let the people build their home. Imposing a delay does not benefit anyone and it is a horrible welcome to the neighborhood. The only people who should have a say in this matter are the ones living on Beacon Way or Little Mount Rubidoux.

We do not object to the Farm House being built on the hill. The property will look much nicer with a home on it. None of the homes on our hill look alike. And, the original home on Beacon Way was not a historic home to begin with.

Santos and Maggie Herrera
Ladera Lane

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

"You're never wrong to do the right thing."
Mark Twain

Date: 01-13-20
Item No.: 1

Attachments:

Sent from my iPhone

Begin forwarded message:

> **From:** Denise Harden <dcharden@mac.com>
> **Date:** January 10, 2020 at 5:59:52 PM PST
> **To:** "Edwards, Erin" <EEdwards@riversideca.gov>, "Fierro, Ronaldo" <RFierro@riversideca.gov>, "Conder, Chuck" <CConder@riversideca.gov>
> **Cc:** "Nicol, Colleen" <CNicol@riversideca.gov>
> **Subject: [External] 01/13/2020 Land Use Committee Agenda Item #1 - Planning Case P19-0487 (COA) for 4674 Beacon Way**
>
> Honorable Council Members:
>
> Attached is a letter with my comments regarding appeal of the Cultural Heritage Board's denial of a certificate of appropriateness for demolition and new construction at 4674 Beacon Way in the Mount Rubidoux Historic District, which is on your Land Use Committee agenda this coming Monday. I recognize my letter is rather lengthy, but I wanted to encapsulate for you certain relevant facts and elements of Title 20 and the Historic District Guidelines omitted from the staff reports. I hope this information will be helpful as you consider this item. I look forward to the meeting on Monday.
>
> Respectfully,
>
> Denise Harden
> dcharden@mac.com
>
> "We always may be what we might have been."
> ~ Adelaide Anne Procter

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

Denise C. Harden
5796 Grand Avenue
Riverside, California 92504
Cell: 951.233.5087 ❖ Home: 951.276.1787

January 10, 2020

Utility Services/Land Use/Energy Development Committee
City of Riverside
3900 Main Street
Riverside, CA 92501

Subject: January 13, 2020, Agenda Item No. 1
Planning Case P19-0487 (COA) for 4674 Beacon Way

Honorable Council Members:

I am writing to oppose Council reversal of the Cultural Heritage Board's denial of the Certificate of Appropriateness (COA) for Planning Case P19-0487 for the property at 4674 Beacon Way, as presented, on two grounds. First, Council's approval of a certificate of appropriateness for the unpermitted demolition of the prior structure should be deferred, because investigation of the illegal demolition remains ongoing and unresolved, and penalties remain unidentified. Second, staff's current and prior reports and conclusions supporting the applicant's proposed replacement structure are fundamentally flawed and do not comply with requirements of Title 20 of the City Municipal Code. For your reference, in the following pages I've outlined in detail pertinent facts and analyses of the proposal and staff reports relative to Title 20 and the Mount Rubidoux Historic District Guidelines that lead me to these conclusions.

To summarize, staff recommended approving, retroactively and without qualification, the unpermitted, illegal demolition of a structure while investigation of it remains open. Any demolition requires approvals and permits in advance under the Municipal Code. When the demolition occurs within a historic district, this includes actions in advance by the Cultural Heritage Board under Title 20. Approval of an unpermitted demolition, for which there was no emergent necessity, would tacitly condone an illegal action, which the Cultural Heritage Board rightly opposed, as it undercuts not only the law, but the purpose for which the Board exists. They correctly recognized this as solely within the authority of the City Council, who has ultimate responsibility for enforcing the Municipal Code.

Secondly, to justify compliance of the proposed replacement structure with Title 20 and the Mount Rubidoux Historic District, the staff report compares the proposal to neighboring non-contributing structures. Staff supports this approach by focusing on a very narrow section of the Historic District Guidelines, while disregarding the purpose and provisions of the Guidelines as a whole, and the legal requirements of Title 20, which as law is superior to the Guidelines.

The Historic District exists to protect the context of the District's Cultural Resources. To accomplish that, under Title 20 new or replacement structures must be assessed for consistency with adjacent or nearby *Cultural Resources*. Comparing the replacement structure to other contemporary, non-concontributing structures undercuts the intended preservation of the area's historic context, and the adjacent Cultural Resources within it. Due to this fundamental flaw in their analysis, the staff report's conclusions regarding the proposal's compliance with Title 20's design standards are invalid, and the recommended actions before you are unsound.

Given this property owner's demonstrated propensity to defying the law, I respectfully ask the Committee recommend that the City Council maintain maximum authority to enforce compliance with any criminal and civil penalties deemed applicable under local and state law, including the penalties applicable for willfully violating Title 20; and, only once those violations are identified and penalties paid, that the Council consider moving this matter forward with retroactive approval of the unpermitted demolition.

I also respectfully ask the Committee recommend that the City Council uphold the Cultural Heritage Board's denial of a certificate of appropriateness and categorical exemption under CEQA for the currently proposed design of the replacement residence, because the application is incomplete and does not comply with the requirements of Title 20 and the Mount Rubidoux Historic District Guidelines. Furthermore, I ask the Committee recommend the City Council make clear their support for the Cultural Heritage Board's important role in protecting the City's cultural resources by requiring the property owner to resubmit complete, modified plans to the Cultural Heritage Board that fully comply and conform with the provisions of Title 20; and further, that staff do a complete and thorough review of those plans for the Cultural Heritage Board's consideration.

Following are the relevant facts and analyses that lead to my conclusions and recommendations to you.

Points of Fact:

- **Legal Requirements.**
  - The property at 4674 Beacon Way (APN 207-033-033) is located within the Mount Rubidoux Historic District.
  - The property is therefore subject not only to the laws of the City Municipal Code generally, but to provisions and requirements of both Title 20 of the Code and design standards in the Mount Rubidoux Historic District Guidelines.
  - Title 20 requires property owners obtain approval *in advance* from the Cultural Heritage Board for certificates of appropriateness for demolition of any structure

within a historic district, and for the design of any new construction and/or alteration of the landscape within a historic district, including replacement structures.

- All property owners are responsible for being aware of and following all City laws and legal requirements applicable to their property, including relevant provisions of Title 20 and any applicable historic district guidelines.

- Failure to comply with the requirements of Title 20 is a misdemeanor subject to criminal and civil penalties under §§20.40.20, 20.40.050(C), 20.40.070 of Title 20.

- Provisions for civil penalties under the remedies in §20.40.050(C), which apply to violation of *any* part of Title 20 and are not limited only to Cultural Resources, include imposing a fine equal to the cost of restoring the property to its pre-violation condition, and all administrative and enforcement fees, which fine is to be used only for the City's "duties and required responsibilities."

- Immediately following escrow, this property owner's attorney contacted the Historic Preservation Officer to inquire whether the property is in a historic district, and the Historic Preservation Officer confirmed to the owner's attorney that it is. Furthermore, the property owner testified before the Cultural Heritage Board that he was aware of the legal requirements applicable to this property, and willfully and deliberately disregarded those requirements by choosing to demolish the previous structural without obtaining required City permits or approvals.

- **Intent of Title 20 & Purpose of Historic District.**

  - The intent and purpose of Title 20 and the Mount Rubidoux Historic District are to identify, protect, enhance, perpetuate and use cultural resources of special historical, archaeological, cultural, architectural, community, aesthetic or artistic value. (§20.05.010)

  - The Historic District Guidelines state the specific intent not only to preserve significant architectural features and structures, but the overall historic character of the district. (Introduction, p 1)

  - Regarding new development, the Guidelines state they "are intended to ensure that patterns of new infill development do not destroy the character of the Mount Rubidoux Historic District....The single most important issue of infill development is one of compatibility....New construction should suggest the design principles of the historic district...." (§8.1, p 24)

  - Regarding design review, the Guidelines state: "What the CHB pays special attention to is whether the design, alterations or new construction affecting...

historic districts will complement the historical nature of the...neighborhood." And further that: "Projects coming to the Cultural Heritage Board for design review should complement their historically and/or architecturally significant surroundings..." (Appendix C, p 48)

- **Application Requirements.**
  - Title 20 §20.25.020 requires applications for design review to include plans and specifications that address:
    - Design, materials, and colors of the structure; *and*,
    - Landscaping and irrigation relating to the proposed improvements; *and*,
    - The relationship of the proposed work to surrounding environs; *and*,
    - For new construction within a historic district, how the new improvement relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage.
  - The Historic District Guidelines (Appendix C, p 28) specifically require applications for design review be complete and include all of the following:
    - "A plot plan, drawn to scale, showing a unified and organized arrangement of buildings, driveways, pedestrian waves, off street parking, landscape areas, fences and walks."
    - "A landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed and proposed to be retained; schematic drawings indicating the amount, type and location of landscaped areas, planting beds and plant materials, and plant size with adequate provisions for automatic irrigation system."
    - "Grading plans to ensure development properly related to the site and to surrounding properties and structures."
    - "Architectural drawings, renderings or sketches, drawn to scale, showing all elevations of the proposed buildings and structures including placement of mechanical equipment as they will appear on completion. All exterior surfacing materials and colors shall be specified."
    - "Any other drawings or additional information necessary such as material and color samples to adequately illustrate and explain the proposed project."

- **Applicable Principals & Standards.** Of the seven principles and standards of site development and review contained in Title 20 §20.25.050, six are applicable to this case and require the proposal is consistent and compatible with surrounding Cultural Resources. These standards apply whether the subject property was originally designated as a contributor or non-contributor to the district. Title 20 standards specifically require that the proposal:
  - "… is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements"; (§20.25.050(B))
  - "…colors, textures, materials, fenestration, decorative features, details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent Cultural Resources"; (§20.25.050(C))
  - "…does not adversely affect context [of the Historic District] 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"; (§20.25.050(D))
  - "…does not destroy or adversely affect an important architectural, historical, cultural or archaeological feature or features"; (§20.25.050(E))
  - "…is consistent with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines"; (§20.25.050(F)) and,
  - "…is consistent with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties." (§20.25.050(G))
- **Landscaping.**
  - The Historic District Guidelines note, "One of the major influences on the landscape philosophy of the Mount Rubidoux area, Frederick Law Olmsted (designer of New York's Central Park and our very own Fairmont Park), envisioned the landscape as a key component of the community, bringing the strength of nature to urbanized industrial city life." (§9.1, p 28)
  - The Guidelines further note: "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."(§2.2, p 2)
  - The Guidelines focus primarily on front and side yards visible from the street, but acknowledge backyards and enclosed side yards "should also receive careful

consideration and planning with regards to any proposed landscape improvement" and specifically note that "mature trees in all areas of the District, whether public or privately owned, are considered character-defining features of the District and should be preserved." (§9.1, p 28)

- **Archaeological Significance**. The Historic District includes the Spring Rancheria, a post-contact Native American village on the side of Indian Hill occupied from the 1870's into the 1890's. Relative to this, the Mount Rubidoux Historic District Design Guidelines (p 3) state:
  - "The entire Mount Rubidoux Historic District should be viewed as an archaeologically significant area, according to research done by the University of California, Riverside."
  - The area within the Historic District has "yielded significant pre-contact materials and remains of earlier Indian habitation."
  - The Spring Rancheria site was at that time "eligible for listing in the National Register of Historic Places due to its historical and archaeological significance. **It is recommended that any artifacts uncovered during construction in the Historic District be donated to the Riverside Municipal Museum.**" (Emphasis added.)

Analysis:

1. Willful and premeditated unpermitted, illegal demolition of any structure within a historic district in violation of the requirements of Title 20 is serious and subject to both criminal and civil penalties under §20.40.020 and §20.40.050, in addition to any criminal and civil penalties applicable under other permitting requirements of the City Municipal Code. The Cultural Heritage Board did not wish to condone this illegal action through retroactive approval of the requested after-the-fact certificate of appropriateness, because doing so would undermine the purpose and intent of Title 20 and the Historic District, the existence of the Cultural Heritage Board, and rule of law. They rightfully recognized such approval as within the sole authority and purview of the City Council, which is responsible for writing and enforcing the laws within the Municipal Code. **Therefore, the Cultural Heritage Board's denial of retroactive approval a certificate of appropriateness for this unpermitted, illegal demolition of the previously existing structure was entirely valid.**
2. The Cultural Heritage Board also denied approval of the proposed new construction of a replacement structure, on the grounds the proposal does not meet the necessary design requirements. **This action was also entirely valid, as the**

original staff report and findings were both incomplete and inadequate to fulfill the requirements of Title 20. Specifically:

A. The proposal presents only architectural design drawings, and materials and color swatches. It does not contain a plot plan showing the proposal's relationship to its surrounding environs; a landscaping and irrigation plan; a grading plan; or other information showing how the new structure will relate to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage of Cultural Resources within the historic district, as required by both Title 20 and the Mount Rubidoux Historic District Guidelines. **The application is therefore neither complete nor final, as required.**

B. Regarding the standard in §20.25.050(B), staff concludes the proposal is compatible with existing adjacent or nearby non-contributing contemporary structures. However, §20.25.050(B) requires the proposal be compatible with existing adjacent or nearby *Cultural Resources* and their character-defining elements. During a Cultural Heritage Board meeting, staff confirmed a non-contributing property cannot be subject to moratorium under §20.40.060, because it is not a Cultural Resource. Applying staff's own logic, neither can non-contributing properties be referenced as the bases for compliance with Title 20 design review standards under §§20.25.050(A)-(G). Therefore, comparing the proposal to non-contributing contemporary structures, while ignoring incompatibility with several immediately adjacent contributing Cultural Resources, is not valid and defeats the intent of both Title 20 and the Historic District to protect those nearby significant historical structures. Specifically:

- The compatibility and consistency of the proposal's "modern interpretation of the Farmhouse Ranch style" with the Craftsman Bungalow and Mission Revival styles of the adjacent Cultural Resources and their character-defining elements was not assessed.

- The inconsistency in both type and construction method of the proposed limestone cladding with the natural rock, field stones, and river rock that are a character-defining element of several adjacent Cultural Resources was not assessed.

- Furthermore, use of clapboard siding is not a sufficient element alone on which to conclude satisfaction of this standard.

- **Therefore, without analysis assessing multiple required elements of compatibility with adjacent or nearby Cultural Resources, the proposal cannot be found in compliance with §20.25.050(B).**

C. Regarding the standard in §20.25.050(C) pertaining to compatibility of design elements with adjacent Cultural Resources, there are a number of notable deficiencies in staff's analysis and findings:

- Use of limestone veneer and shiplap board siding and size of the replacement structure are the only design elements referenced in staff's analysis. As noted above, the limestone cladding proposed is a notably different type and style inconsistent with the natural rock, field stones, and river rock that are distinctive character-defining elements of several adjacent Cultural Resources, which staff does not address.

- With regard to size, staff assesses the proposed structure to be "one-story with a basement," and therefore "matching the height, scale, and massing of the recently demolished residence." However, the basis for evaluation in this standard is not against the demolished structure, but the requirements for new construction in the Historic District Guidelines, which state that: "The maximum height shall be 35 feet." The proposal's elevation drawings indicate the new structure would be over 41 feet in total height, exceeding the Guidelines by more than 6 feet.

- This appears due principally to the steeply pitched roof, the proportions of which were also not assessed for consistency with the rooflines of adjacent Cultural Resources, as required.

- In addition, the gables of the roof proposed are open on the east and west sides with large windows extending from just 3.5 feet under the roofline to first floor grade level. This will effectively create two-story windows 16 feet wide and 19 feet tall, each totaling 238 square feet of glass presumably lit from within the great room at night, a substantial change from the previous structure. No assessment was made of whether the proportions and treatments of these windows are consistent with the fenestration of adjacent and nearby Cultural Resources, nor of the adverse effect light scatter from these two-story windows might have on adjacent and nearby Cultural Resources and the context of the Historic District.

- Furthermore, the demolished house was cantilevered off the hillside with a limited basement storage area, while the proposal expands the footprint of the basement significantly with additional rooms, changing the exterior massing notably. The Site Design Considerations in the Guidelines specifically state that: "Buildings of large mass should be designed to avoid a box-like appearance...." However, the lower two levels of this expanded basement create a large, plain, box-like mass on the south elevation, which would overlook a significant historical Cultural Resource immediately adjacent to the

south. Staff made no assessment of the compatibility of this massing with that Cultural Resource, nor of the visual impact on that and other nearby historic properties.

- Furthermore, staff made no analysis of whether other materials, fenestration, decorative features and details, or methods of construction are compatible with adjacent Cultural Resources. Specifically, there is no assessment regarding the black metal roof proposed, which is a significant design element that diverges substantially from the construction methods and materials used on surrounding Cultural Resources.

- Furthermore, beyond passing mention, the proposal provides no detailed information regarding plans for the repair and addition of concrete and other hardscape elements, removal of an existing decorative wall, replacement of the mailbox at the curb, or shielding of the new electrical box and other utility equipment from view from the street, as required by the Guidelines.

- **Therefore, given staff's incomplete and adequate assessment of the proposal's consistency and compatibility with adjacent or nearby Cultural Resources, the proposal cannot be found in compliance with §20.25.050(C).**

D. The standard in §20.25.050(D) addresses assessing adverse affects of new construction on the context of the Historic District. However, staff's analysis concludes the proposal does not change the relationship to other properties within the district because it is to be built in the same location as the demolished structure. This misses the point of this standard, which is to consider multiple factors involving topography, natural features, and built environment that together comprise the historic context of the district. Noting new construction is to occur on the same location as a demolished structure does not adequately assess whether the new construction as a whole would adversely affect the Historic District's context. **Therefore, staff's analysis provides no basis to conclude the proposal would not adversely affect the context of the Historic District, as required to comply with §20.25.050(D).**

E. Regarding the standard in §20.25.050(E), staff concludes that because the site was previously developed, the proposal is not likely to negatively affect any archaeological features. However, it is not uncommon when re-excavating a previously developed site to uncover archaeological artifacts. In fact, numerous significant archaeological discoveries around the world have occurred this way.

- As the Historic District Guidelines note, research by the University of California, Riverside, indicated the "entire Mount Rubidoux Historic District

should be viewed as an archaeologically significant area" owing to the former presence of a post-contact Cahuilla village located on the north west slope of Indian Hill.

- In fact, the Guidelines note, "The entire area, especially on the Santa Ana River side of the two hills, has also yielded significant pre-contact materials and remains of earlier Indian habitation."

- Furthermore, the Guidelines recommend "that any artifacts uncovered during construction in the Historic District be donated to the Riverside Museum."

- Based on the archaeological significance of the entire Historic District, it is not possible to conclude the proposal will not adversely affect an important archaeological feature or features; instead, it must instead be assumed the proposal could in fact adversely affect archaeologically important features, and appropriate conditions should be applied.

- **Therefore, staff's finding regarding this standard and absence of conditions regarding archaeological artifacts is contradicted by the Mount Rubidoux Historic Guidelines themselves, and does not comply with §20.25.050(E).**

F. The standard in §20.25.050(F) addresses whether the proposal is consistent with the applicable Historic District Guidelines. As noted in the findings above, this is not the case on multiple points. To summarize:

- The application is not complete as required under both Title 20 and the Mount Rubidoux Historic District Guidelines because it does not contain a plot plan showing the new development's relationship to its surrounding environs; a landscaping and irrigation plan; a grading plan; or other information showing how the proposal relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage.

- The analysis assesses consistency and compatibility of the proposal with existing non-contributing properties, not with adjacent and nearby Cultural Resources, as required by the Historic District Guidelines.

- The analysis assesses the size of the proposal against the demolished structure, rather than the Guidelines, which stipulate new construction not exceed 35 feet. In fact, as proposed the new structure would exceed 41 feet.

- Expansion of the basement on the south elevation will create a notably larger, box-like massing, which is discouraged by the Guidelines, and the affect on adjacent Cultural Resources was not assessed as required.

- There is no analysis of whether other materials, fenestration, decorative features and details, or methods of construction are consistent and compatible with adjacent Cultural Resources.
- There is no assessment regarding the proposed black metal roof, which is a significant design element that diverges substantially from the construction methods and materials used on surrounding Cultural Resources.
- There is insufficient basis to conclude the proposal will not adversely affect the context of the Historic District.
- No provisions were made to address the potential presence of archaeological features as specifically indicated by the Guidelines for all properties within the Historic District.
- **Therefore, there are numerous points on which this proposal is not consistent or in compliance with relevant Historic District Guidelines, as required to comply with §20.25.050(F).**

G. Regarding the standard in §20.25.050(G) pertaining to consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as noted in the findings above, assessment of the proposal's compatibility and consistency with adjacent and nearby Cultural Resources and adherence to the Historic District Guidelines was inadequate and insufficient to determine compliance with this standard. **Therefore, it cannot be found that this proposal is consistent with the Secretary of the Interior's Standards, as required to comply with §20.25.050(G).**

H. With regard to compliance with Title 20 generally, the proposal is deficient on numerous points, as discussed above. Specifically:

- Demolition of an existing structure occurred illegally without either approval of a certificate of appropriateness from the Cultural Heritage Board as required by Title 20, or other City permits and approvals as required under the Code.
- The application is missing significant elements, and is therefore not complete as required by both Title 20 and the Historic District Guidelines.
- Staff's analysis of the proposal is based on comparisons to other non-contributing contemporary structures, not to adjacent and nearby Cultural Resources and the historic context of the District, as required by Title 20.

- **Therefore, the proposal cannot reasonably be found in compliance with the design standards and other overall requirements of Title 20; and with respect to the illegal demolition may in fact be subject to penalties.**

I. The proposal has not been found compatible with the Cultural Resources within the Historic District and its context; cannot therefore be deem consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties; and, has not been sufficiently conditioned regarding potential archaeological resources as indicated by the Historic District Guidelines. **Therefore, the proposal as presented cannot be determined categorically exempt from the relevant provisions of CEQA.**

Conclusions:

First, at some point, it will be valid for the City Council to retroactively approve an after-the-fact certificate of appropriateness for the unpermitted demolition of the previous structure. However, to ensure the Council maintains maximum authority to enforce compliance with a property owner clearly prone to defying the law, this should only occur after all applicable criminal and civil penalties have been assessed and paid, including those applicable under Title 20.

Second, the City Council should uphold the Cultural Heritage Board's denial of a certificate of appropriateness and categorical exemption under CEQA for the replacement residence as currently proposed, because the application is incomplete and does not comply with the design standards of Title 20 and the Mount Rubidoux Historic District Guidelines, as outlined in detail above.

Furthermore, the City Council should support the Cultural Heritage Board's important role in protecting the City's cultural heritage and resources by requiring the property owner to resubmit complete, modified plans to the Cultural Heritage Board that fully comply and conform with the provisions of Title 20, and that staff do a complete and thorough review of those plans for the Cultural Heritage Board's consideration.

I thank the honorable members of this Committee for your time and consideration in this complex matter.

Most respectfully,

Denise C. Harden

Date: 01-13-2020
Item No.: 1

From: Edwards, Erin <EEdwards@riversideca.gov>
Sent: Sunday, January 12, 2020 6:25 PM
To: Nicol, Colleen <CNicol@riversideca.gov>
Subject: Fwd: [External] LUC review of retro demo permit

Colleen,
Please share this with the Land Use committee, as well.

Thank you!
Erin

Get Outlook for iOS

From: H. Vincent Moses-PhD <vincate@att.net>
Sent: Sunday, January 12, 2020 3:36:16 PM
To: Edwards, Erin <EEdwards@riversideca.gov>
Subject: [External] LUC review of retro demo permit

Dear Councilwoman Edwards:

Forgive me for not appearing in person at the LUC Monday to address the issue of the appeal by Randy Neal. I am recuperating from pneumonia and advised by my doctor not to go out for a few days.

As you know, Cate and I live on Beacon Way in Landmark @104 and are directly impacted by Mr. Neal's unlawful demolition of the mid-century modern house at the summit of Little Rubidoux. He willfully violated the Municipal Code, and possibly by state law as well.

His willful and knowing violation(s) not only ignored the Historic District, but more significantly endangered the health and safety of the neighborhood. He apparently removed asbestos and lead without appropriate permits and the proper inspections.

Although I do not know this for certain, I have been informed that Neal is a licensed contractor, and should know better than to flaunt the law, or assume he was above it.

For these reasons, the City Attorney has Mr. Neal under investigation for these offenses and others. Under the circumstances, Cate and I do not believe he should receive any relief for his bad

behavior until the City completes its investigation and levies any fines and penalties it deems appropriate.

At that time, perhaps then it would be good to review his appeal and determine what action to take. Under no circumstances should his proposed replacement design be considered until all this is complete. At that time, he should be referred back to the CHB for review and discussion of an appropriate house design for the vacant site.

One last thing, if Mr. Neal is a licensed contractor, his behavior should be referred to the California State Contractors License Board for review.

Thanks for your consideration of our views on this serious matter. Civil society requires the voluntary compliance of its citizens with the law and good citizenship to work. When an individual decides like Mr. Neal to ignore the law, he imperils that society, and must be held accountable, not rewarded.

Sincerely,

Vince

--
Herman Vincent Moses, PhD CEO & Principal VinCate & Associates Museum and Historic Preservation Consultants

Date: 01-13-20
Item No.:1

Public Comment for Land Use Committee

Prepared by the City Clerk's Office at 11:10 a.m. on January 13, 2020

Item	Name	Neighborhood	Position	Comments
1. Case P19-0487 - Appeal by Randall Neal of Cultural Heritage Board denial of Certificate of Appropriateness for after-the-fact demolition of existing residence listed as non-contributor to Mount Rubidoux Historic District and replacement of single-family residence main level, two-car garage, and basement expansion - 4674 Beacon Way - Direct submittal (Ward 1) Scott Watson, Historic Preservation Officer	Shawn Chinudomsub		Support	Subject: (RE) P 19-0487 Land Use Committee: Our house is next to the subject property. We are writing this letter in support for the Planning Case P19-0487 due to the following logic's: 1)None of the houses on this pocket of Beacon Way, except one, are architecturally "contributing" to the historical value of the District. 2)The renovation of the existing military style, single-story tract house cannot be considered a cultural heritage lost to the City of Riverside. There are many other similar houses all over the City, particularly around March Air Force base. On the other hand, we consider it as an improvement to this neighborhood. 3)A chance of seeing this property becomes abandoned is unbearable to us. Too often that this street was invaded by disrespectful visitors committing illegal activities, day and night. It takes many of us to keep it desirable. Losing one more decent, tax paying residents may tip the scale, and would adversely impact the entire Historical District. Thank you for your kind consideration. Shawn Chinudomsub Aves Chinudomsub 4686 Beacon Way Riverside CA 92501 (951) 538-1815

cc: Mayor
City Council
City Manager
City Attorney
ACMs
C&ED Director

AFTER-THE-FACT DEMOLITION AND NEW CONSTRUCTION AT 4674 BEACON WAY

P19-0487 (COA)

Community & Economic Development

City Council
February 11, 2020

RiversideCA.gov

BACKGROUND - LOCATION

2

RiversideCA.gov

ELEVATIONS

North Elevation
(Facing Beacon Way)

West Elevation

South Elevation

East Elevation

3

RiversideCA.gov

DISCUSSION – UNPERMITTED DEMOLITION AND FINES/PENALTIES

1. Code Enforcement Administrative Citations for (3) RMC misdemeanor violations: $300 – paid by owner on 12/13/2019
2. Special Investigation Fee: $177.08 – paid by the owner on 11/27/2019
3. Penalty Building Permit Fee: $934.50 - due at permit issuance
4. Penalty Grading Fees without permit: $4,982.70 - due at permit issuance

4

RiversideCA.gov

DISCUSSION – CULTURAL HERITAGE BOARD DECISION

1. October 16, 2019:
   a) Cultural Heritage Board (CHB) formed a subcommittee; and
   b) Continued the item.
2. November 20, 2019 – CHB acted as follows:
   a) Withdrew offer of a subcommittee;
   b) Rejected Staff's recommend Facts for Finding;
   c) Introduced and accepted substitute Facts for Findings; and
   d) Denied the Certificate of Appropriateness (COA).

DISCUSSION - APPEAL

1. Applicant filed an appeal on November 27, 2019;
2. Appeals considered on January 13, 2020 by Utility Services/Land Use/Energy Development Committee first per RMC 20.15.090;
3. Discussion included:
   a) Fines and penalties
   b) CEQA Exemptions
   c) Intent of the Guidelines

RECOMMENDATIONS

That the City Council:

1. Determine that that the project is exempt from the California Environmental Quality Act (CEQA) 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;
2. Uphold the appeal by Randall Neal and approve the Certificate of Appropriateness for the demolition of the residence only, as part of Planning Case P19-0487, based on the findings outlined in the Cultural Heritage Board staff report and subject to the recommended conditions of approval;

RECOMMENDATIONS

3. Return the Certificate of Appropriateness for the proposed residence main level and garage and basement expansion, as part of Planning Case P19-0487, to the Cultural Heritage Board with the following directions:
   a) Establish a subcommittee, no later than at its March 2020 meeting, to work with the applicant on design modifications of the residence.
   b) Schedule a meeting between the applicant and subcommittee within 30 days of forming the subcommittee;
   c) Final action by the Cultural Heritage Board on the Certificate of Appropriateness by the May 2020 meeting;
   d) If no final action is taken by the Cultural Heritage Board by the May 2020 meeting, the Certificate of Appropriateness for the proposed residence main level and basement expansion, as part of Planning Case P19-0487, will be returned to the City Council for final action; and

RECOMMENDATIONS

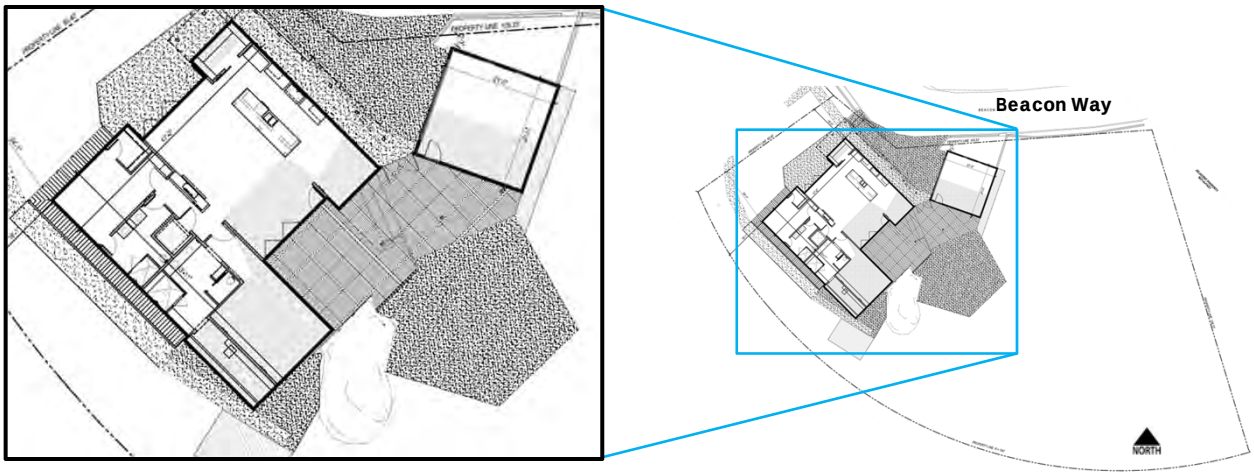
4. Direct staff to evaluate remedies for non-contributors in Title 20 – Chapter 20.40.050 for City Council consideration.

MOUNT RUBIDOUX HISTORIC DISTRICT

(FOR REFERENCE)

BACKGROUND - SITE PLAN

(FOR REFERENCE)

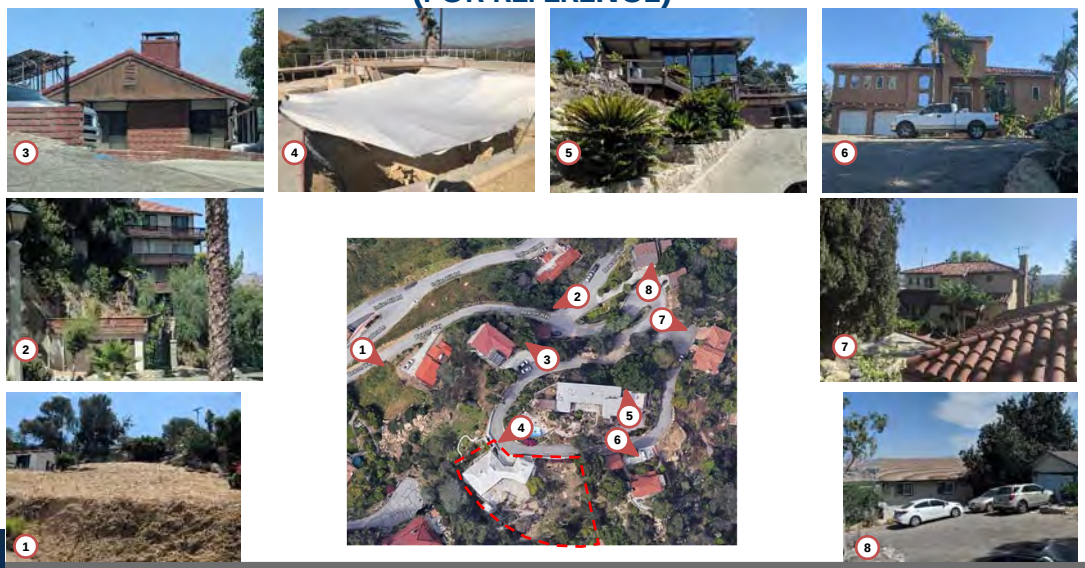


11

RiversideCA.gov

BACKGROUND – SITE AND AREA PHOTOS

(FOR REFERENCE)



12

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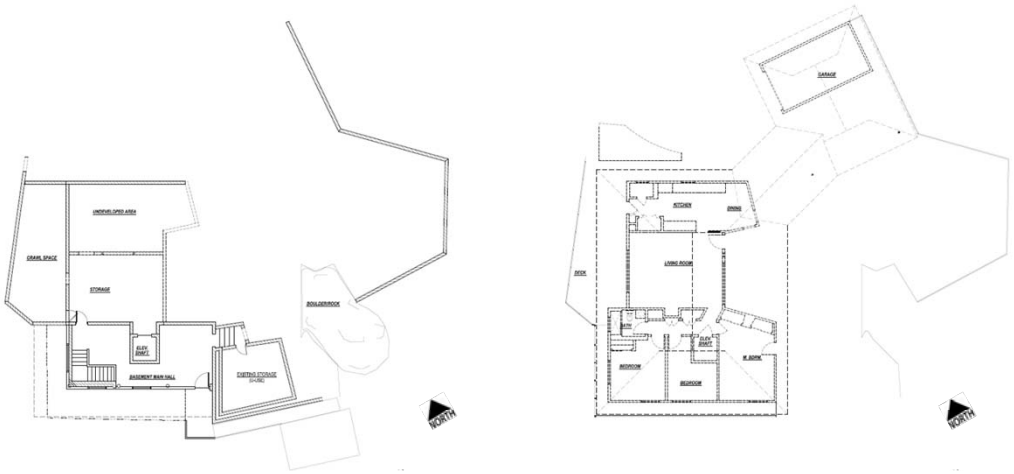
PROPOSED DEMO PLAN
(FOR REFERENCE)



13

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PROPOSED MAIN FLOOR LEVEL PLAN
(FOR REFERENCE)

14

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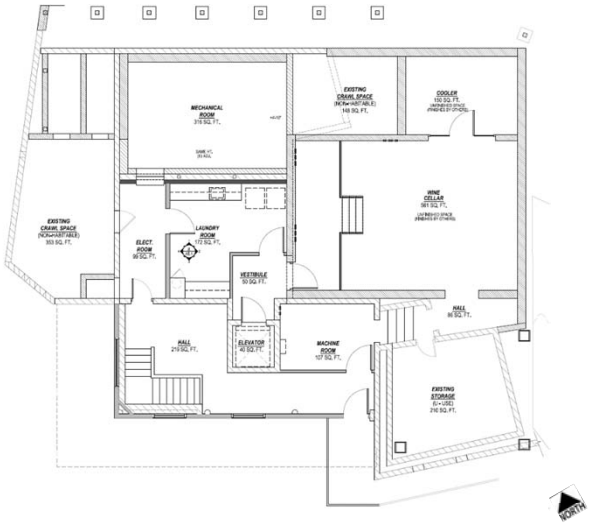
PROPOSED BASEMENT FLOOR LEVEL PLAN

(FOR REFERENCE)



City of Arts & Innovation

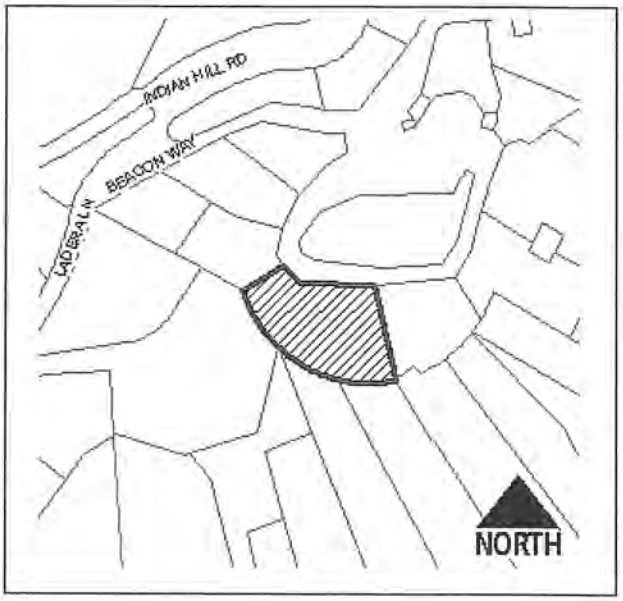
CITY OF RIVERSIDE
NOTICE OF PUBLIC HEARING

YOU ARE INVITED TO ATTEND a Public Hearing before the City Council of the City of Riverside regarding the following items:

CASE NUMBER: P19-0487

APPLICANT: Randall Neal

LOCATION: 4674 Beacon Way, situated on the south side of Beacon Way between Ladera Lane and Redwood Drive



PROPOSAL: Appeal by Randall Neal of the Cultural Heritage Board 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.

ENVIRONMENTAL DETERMINATION: The Planning Division of the Community & Economic Development Department recommends that City Council determine the proposal is categorically exempt from California Environmental Quality Act (CEQA) review 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.

Mail written statements to City Clerk, City Hall, 3900 Main Street, Riverside, CA 92522.

CITY COUNCIL HEARING
Art Pick Council Chamber, City Hall
3900 Main Street
Riverside, CA 92522

MEETING DATE: February 11, 2020
MEETING TIME: 3 p.m.

CONTACT PLANNER: Scott Watson
PHONE: (951) 826-5507
E-MAIL: swatson@riversideca.gov

COLLEEN J. NICOL, MMC
City Clerk of the City of Riverside

If you challenge the above proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk of the City of Riverside at, or prior to, the public hearing.

Dated, mailed, and published: January 28, 2020

	WARDS	EDWARDS 1	MELENDREZ 2	FIERRO 3	CONDER 4	PLASCENCIA 5	PERRY 6	HEMENWAY 7
Principal Amount Not-to-Exceed Three Million Dollars ($3,000,000) and Approving Certain Documents and Taking Certain Other Actions in Connection Therewith, was presented and adopted.	Motion Second All Ayes				X		X	
CASE P19-0487 - APPEAL - CERTIFICATE OF APPROPRIATENESS DENIAL - AFTER-THE-FACT DEMOLITION OF EXISTING RESIDENCE - 4674 BEACON Hearing was called to consider the appeal of Randall Neal of Cultural Heritage Board 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. Two people spoke on the matter. The public hearing was officially closed. Following discussion, the City Council (1) determined 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; (2) upheld the appeal by Randall Neal to approve the Certificate of Appropriateness for demolition of the residence only, as part of Planning Case P19-0487, based on the findings outlined in the Cultural Heritage Board staff report and subject to the recommended conditions of approval; (3) returned the Certificate of Appropriateness for the proposed residence main level and garage and basement expansion, as part of Planning Case P19-0487, to the Cultural Heritage Board with the following directions: (a) establish a subcommittee, no later than at its March 2020 meeting, to work with the applicant on design modifications of the residence; (b) schedule a meeting between the applicant and subcommittee within 30 days of forming the subcommittee; (c) obtain final action by the Cultural Heritage Board on the Certificate of Appropriateness by the May 2020 meeting; and (d) if no final action is taken by the Cultural Heritage Board by the May 2020 meeting, the Certificate of Appropriateness for the proposed residence main level and basement expansion, as part of Planning Case P19-0487, will be								

	WARDS	EDWARDS 1	MELENDREZ 2	FIERRO 3	CONDER 4	PLASCENCIA 5	PERRY 6	HEMENWAY 7
returned to the City Council for final action; and (4) directed staff to evaluate remedies for non-contributors in Title 20-Chapter 20.40.050 for City Council consideration.	Motion Second All Ayes	 X			X			

CLOSED SESSIONS

The Mayor and City Council recessed to the City Council Board Room for closed sessions pursuant to Government Code (1) §54956.9(d)(1) to confer with and/or receive advice from legal counsel concerning Pedro Cisneros v. City of Riverside, WCAB Claim No: ADJ 11302588; ADJ 11302632; (2) §54956.9(d)(2) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; (3) §54956.9(d)(4) to confer with and/or receive advice from legal counsel concerning one case of anticipated litigation; and (4) §54957.6 to review the City Council's position and instruct designated representatives regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of all Executive Management employees including the City Attorney and City Clerk, all Management and Confidential employees as defined by PERS, Fire Management Unit, Riverside City Firefighters Association, Riverside Police Officers Association (Police and Police Supervisory Units), Service Employees International Union #721, International Brotherhood of Electrical Workers #47, and Riverside Police Administrators Association.

RECESS
The City Council recessed at 4:18 p.m. and reconvened at 6:17 p.m. in the Art Pick Council Chamber with Mayor Bailey presiding and all Councilmembers present.

The Invocation was given by St. Michael’s Episcopal Ministry Center Reverend Canon Mary Crist, EdD.

Cobra and Shark Dens from Pack 1887 led the Pledge of Allegiance to the Flag.

City Council Memorandum

City of Arts & Innovation

TO: **HONORABLE MAYOR AND CITY COUNCIL** **DATE: APRIL 21, 2020**

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

SUBJECT: **SCHEDULE MODIFICATION FOR P19-0487 CERTIFICATE OF APPROPRIATENESS (REPLACEMENT OF THE SINGLE-FAMILY RESIDENCE MAIN LEVEL, REPLACEMENT OF THE TWO-CAR GARAGE, AND EXPANSION OF THE BASEMENT – LOCATED AT 4674 BEACON WAY) AS IT RELATES TO CULTURAL HERITAGE BOARD SUBCOMMITTEE FORMATION AND CULTURAL HERITAGE BOARD FINAL ACTION**

ISSUE:

Approve a schedule modification for P19-0487 Certificate of Appropriateness (replacement of the single-family residence main level, replacement of the two-car garage, and expansion of the basement – located at 4674 Beacon Way) as it relates to the Cultural Heritage Board forming a subcommittee to work with the applicant on the design; and a schedule modification for the Cultural Heritage taking a final action on the Certificate of Appropriateness.

RECOMMENDATIONS:

That the City Council:

1. Approve a modification to extend the schedule related Planning Case P19-0487 Certificate of Appropriateness, for the Cultural Heritage Board to form a sub-committee to work with the applicant on design modifications from March 2020 to May 2020; and

2. Approve a modification to extend the schedule for the Cultural Heritage Board to take a final action on the Certificate of Appropriateness from May 2020 to July 2020.

BACKGROUND:

At its February 11, 2020 meeting, City Council directed that the Cultural Heritage Board (CHB) to: 1) establish a subcommittee to review the design of the replacement of the single-family residence main level, replacement of the two-car garage, and expansion of the basement (Planning Case P19-0487) by March 2020; and 2) CHB take final action on the Certificate of Appropriateness by May 2020.

On March 18, 2020, the Cultural Heritage Board (CHB) was scheduled to meet and establish a subcommittee to work with the applicant. In light of the COVID-19 situation, the March CHB meeting was cancelled.

Due to the unforeseen circumstances surrounding the COVID-19 pandemic, staff is requesting that City Council modify the schedule to permit the CHB to establish a subcommittee at its May 2020 meeting and take final action no later than its July 2020 meeting.

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. City Council Report – February 11, 2020
2. City Council Minutes – February 11, 2020

CITY COUNCIL
MINUTES

TUESDAY, APRIL 21, 2020, 1 P.M.
VIRTUAL MEETING
PUBLIC COMMENT VIA TELEPHONE
3900 MAIN STREET

MAYOR/COUNCILMEMBER COMMUNICATIONS

Councilmember Edwards reported on virtual office hours, the Downtown Area Neighborhood Alliance, the Neighbors of the Wood Streets egg hunt, and upcoming webinars. Councilmember Melendrez reported on the Inland Chinese American Alliance donation of masks and volunteer work. Mayor Bailey reported on a conference call with Senator Kamala Harris and the Big Cities Mayors, State pandemic unemployment assistance, Paycheck Protection Plan loans, gig economy assistance, rent and mortgage assistance and credit card debt relief, and the Easter Sunrise Service. Councilwoman Plascencia reported on Maxi Foods donation of gift cards, Loma Vista Middle School staff donation of gift cards, and her personal donations to families.

CONSENT CALENDAR

It was moved by Councilmember Hemenway and seconded by Councilmember Conder to approve the Consent Calendar as presented below affirming the actions appropriate to each item with Councilmember Melendrez disqualified due to a conflict of interest on the Public Parking Program update and the agreement with IPS Group, Inc. for purchase of 79 multi-pay station units as he owns property in the area. The motion carried with all ayes, Councilmember Perry absent, and Councilmember Conder voting no on modification of the schedule for Cultural Heritage Board subcommittee work and final action on a Certificate of Appropriateness for 4676 Beacon Way.

RESIGNATION - COMMISSION ON AGING

The City Council (1) accepted the resignation of Shari L. Fleischman from the Commission on Aging Ward 2 seat, effective immediately; and (2) requested the City Clerk to process the vacancy.

DECLARE RESULTS OF MARCH 3, 2020, MAYOR ELECTION - CALL SPECIAL MUNICIPAL RUN-OFF ELECTION - RESOLUTIONS

The City Council (1) adopted a resolution reciting the fact of the general municipal election held on March 3, 2020, for the purpose of electing a Mayor of the City of Riverside and declaring the results; (2) adopted a resolution calling a special municipal run-off election for Tuesday, November 3, 2020, to elect a Mayor to be consolidated with all other elections held on the same day in the City; and (3) continued the practice of requiring candidates to pay costs for the Candidate's Statement of Qualifications; whereupon, the titles having been read and further readings waived, Resolution No. 23564 of the City Council of the City of Riverside, California, Reciting the Fact of the

General Municipal Election Held in Said City on the 3rd Day of March, 2020, Declaring the Results Thereof and Setting Forth Such Other Matters as are Provide by Law; and Resolution No. 23565 of the City Council of the City of Riverside, California, Ordering, Calling, Providing for and Giving Notice of a Special Municipal Runoff Election to be Held in the City of Riverside on the 3rd Day of November, 2020, for the Purpose of Electing the Mayor of Said City of Riverside and Giving Notice and Ordering That Said Special Municipal Runoff Election is Consolidated With All Other Elections Being Held in the Same Territory on the Same Date, were presented and adopted.

MINUTES
The minutes of the meetings of March 31 and April 7, 2020, were approved as presented.

AGREEMENT - MULTI-SPACE PAY STATIONS - SUPPLEMENTAL APPROPRIATION
The City Council (1) approved a Professional Consultant Services Agreement (Technology Services) from Request for Proposal No. 1792 with IPS Group, Inc., of San Diego, California, for 79 multi-space pay station units in the amount of $650,649 for a five-year term and two additional two-year extension options; (2) authorized a supplemental appropriation in the amount of $650,649 from the Public Parking Fund to the Multi-Space Pay Stations account; and (3) authorized the City Manager, or his designee, to execute the Professional Consultant Services Agreement (Technology Services) with IPS Group, Inc., including making minor and non-substantive changes and the optional two two-year terms.

LEASE AGREEMENT - 2801 HULEN PLACE
The City Council (1) approved the Lease Agreement with Helping Hearts Hulen, LLC, for approximately 4,700 square feet of the City-owned building located at 2801 Hulen Place for $1 annually to operate a transitional mental health program for a five-year term; and (2) authorized the City Manager, or his designee, to execute the Lease Agreement including making minor non-substantive changes and the two optional five-year renewals, and to sign all documents and instruments necessary to complete the transaction.

DONATION - MEDICAL CLINIC REHABILITATION - 2880 HULEN PLACE - SUPPLEMENTAL APPROPRIATION
The City Council (1) accepted a gift donation in the amount of $50,000 from Anthem Blue Cross for rehabilitation of the Medical Clinic space at Riverside Access Center located at

2880 Hulen Place; and (2) authorized the Finance Department to increase estimated revenues in the amount of $50,000 to the Riverside Access Center Sponsorship Revenue Account and appropriated expenditures in the same amount to the Riverside Access Center Sponsorship Expenditure Account.

AGREEMENT AMENDMENT - TEMPORARY EMPLOYMENT SERVICES
The City Council (1) approved the Fifth Amendment to Professional Consultant Services Agreement with CSG Consultants, Inc., for temporary employment service needs of the Building and Safety Division for an additional two-year term through June 30, 2022, in the amount of $100,000 annually for a total contract amount of $740,000 in accordance with Purchasing Resolution No. 23256, Section 702(g); and (2) authorized the City Manager or his designee to execute the Fifth Amendment to Professional Services Agreement with CSG Consultants, Inc., including making minor and non-substantive changes.

CASE P19-0487 - CULTURAL HERITAGE BOARD SUBCOMMITTEE SCHEDULE MODIFICATION - 4674 BEACON WAY
The City Council approved modifications to extend the schedule related to Planning Case P19-0487 Certificate of Appropriateness for the Cultural Heritage Board to (1) form a sub-committee to work with the applicant on design modifications from March 2020 to May 2020; and (2) take a final action on the Certificate of Appropriateness from May 2020 to July 2020.

FISCAL YEAR 2019-20 SECOND QUARTER FINANCIAL REPORT AND MEASURE Z UPDATE - INTERFUND TRANSFERS - SUPPLEMENTAL APPROPRIATIONS
The City Council (1) received and ordered filed the Fiscal Year 2019/20 Second Quarter Financial Report and Measure Z update; (2) approved an interfund transfer of $9,353,990 from the General Fund to the Pension Stabilization Fund, representative of the amount previously approved for investment in the Section 115 Pension Trust; (3) approved an interfund transfer of $23,000 from the Electric Fund to the General Fund to reimburse the General Fund for a prior year accounting error; (4) approved an increase in revenues of $200,000 and a supplemental appropriation of $200,000 in the General Fund Innovation & Technology Department for critical technology needs; (5) eliminated a budgeted transfer of costs in the amount of $189,046 from General Fund Fire Prevention to the Grants and Restricted Programs Fund, Certified Unified Program Agency account, effectively increasing General Fund appropriations; and (6) approved a supplemental