



City of Arts & Innovation

CULTURAL HERITAGE BOARD
DRAFT MINUTES

THURSDAY, JANUARY 20, 2021, 3:30 P.M.

VIRTUAL MEETING

PUBLIC COMMENT VIA TELEPHONE

3900 MAIN STREET

COMMISSIONERS

PRESENT: J. Brown, M. Carter, N. Ferguson, J. Gamble, S. Lech, N. Parrish, C. Tobin

ABSENT: J. Cuevas, Brown LE

STAFF: M. Kopaskie-Brown, P. Brenes, S. Watson, A. Beaumon, F. Andrade

Vice-Chair Parrish called the meeting to order at 3:30 p.m.

ELECTION OF OFFICERS

Chair

Staff announced that due to the resignation of Board Member Falcone, the position of Chair is now vacant.

Board Member Ferguson nominated Board Member Lech. Board Member Lech declined the nomination and indicated he was unable to accept.

Board Member Carter nominated Board Member Brown. Board Member Brown also declined the nomination.

Board Member Ferguson nominated Board Member Parrish for Chair of the Cultural Heritage Board, Seconded by Board Member Brown.

MOTION CARRIED: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Cuevas

ABSTENTION: None

ORAL COMMUNICATIONS FROM THE AUDIENCE

Alan Curl, residing within the Seventh Street Historic District stated he was calling regarding item 7 on today's agenda. He brought this matter up to the Board's attention in January. He believes the recent landscape design approval at 2470 Mission Inn Avenue is inconsistent with the district designating resolution and the City's Historic Design Guidelines. The bulk of the property, aside from buildings is paved with concrete or



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artificial turf laid over concrete. This is not consistent with the design guidelines for landscaping which say that the traditional character of the residential front side yard should be preserved. As far as he can see, 100% of the ground covering at this location is now either paved or non-porous. Mr. Watson has advised that the staff approval of this treatment is consistent with preliminary plans approved by the Board. The use of artificial turf is justified because the design guidelines do not specifically identify artificial turf as inappropriate. Nevertheless, artificial turf is neither a planting material, nor a lawn, nor is it non-porous. Mr. Watson also characterized the use of artificial turf as acceptable replacement for grass in light of the statewide need for water conservation. Mr. Curl indicated that this is flawed logic. During the most recent prolonged period of drought, climatologists advised that removal of landscape plants on grounds would lead to higher temperatures and an increased likelihood of drought. Paving and artificial turf do not absorb carbon dioxide and cause more heat from the sun to radiate back into the atmosphere, compounding drought conditions. He stated he had two objectives. First, he requested that action be taken to terminate the use of artificial turf as an acceptable interpretation of the design guidelines. There is a wide range of drought tolerant trees and shrubs that can substitute for thirsty turf. Second, he stated that he maintains that the approval of artificial turf at 2470 Mission Inn Avenue was an error that defies the District designating resolution and the Historic District Design Guidelines for landscaping. He asked that the Board take whatever steps necessary to correct that error and require the installation of landscaping consistent with the design guidelines.

CONSENT CALENDAR

The Consent Calendar was unanimously approved as presented below affirming the actions appropriate to each item.

MINUTES

The minutes of the meetings of December 16, 2020, were approved as presented.

Motion by Board Member Carter, Seconded by Board Member Lech to approve the Consent Calendar as presented.

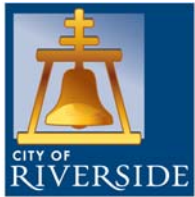
Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Cuevas

ABSTENTION: None



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DISCUSSION CALENDAR

PLANNING CASE DP-2020-00112 – CERTIFICATE OF APPROPRIATENESS – 4455 FIFTH STREET, WARD 1

Proposal by Gilbert Alcala of Alcala Architecture, on behalf of Kevin & Karen Cotterill, for project plans to remodel two existing two-car garages, consisting of: 1) construction of second story additions, totaling approximately 341 and 174 square feet, respectively; 2) construction of covered patios, totaling approximately 110 and 76 square feet; and 3) conversion of existing roof forms from a flat roof with parapet to gable roofs. Scott Watson, Historic Preservation Officer, presented the staff report. Gil Alcala, representing the applicant, stated they were in agreement with the recommended conditions. There were no public comments. Following discussion it was moved by Board Member Lech and seconded by Board Member Carter to: 1) Determine that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Sections 15301 (Existing Facilities) and 15331 (Historic Resource Restoration/Rehabilitation), as it constitutes rehabilitation of a historic resource that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties; and 2) Approve Planning Case DP-2020-00112 (Certificate of Appropriateness), based on the findings outlined in the staff report and subject to the recommended conditions. Chair Parrish advised of the appeal period.

The Cultural Heritage Board's decision is final unless appealed.

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Cuevas,

ABSTENTION: None



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PLANNING CASE DP-2020-00240 – CERTIFICATE OF APPROPRIATENESS – 3649 MISSION INN AVENUE, WARD 1

Proposal by Antoine Maalouf of the Historic Mission Inn Corporation, project plans to construct an approximately 325 square foot gazebo and six free-standing restaurant booth enclosures. Scott Watson, Historic Preservation Officer, presented the staff report. Yvette Wu, Interior Design Team, stated they were in agreement with the recommended conditions. There was no public comments on this item. Following discussion it was moved by Board Member Lech and seconded by Board Member Ferguson to: 1) Determine that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Sections 15311 (Accessory Structures) and 15331 (Historic Resource Restoration/Rehabilitation), as it constitutes the construction of small accessory structures that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties; and 2) Approve Planning Case DP-2020-00240 (Certificate of Appropriateness), based on the findings outlined in the staff report and subject to the recommended conditions. Chair Parrish advised of the appeal period.

water

Motion Carried: 7 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Brown, Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Cuevas,

ABSTENTION: None



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APPOINTMENT OF MEMBERS TO THE HISTORIC PRESERVATION FUND COMMITTEE

Chair Parrish asked for volunteers from the Cultural Heritage Board to fill a vacancy on the Historic Preservation Fund Committee.

Following discussion, it was agreed that the vacancy being filled was a temporary position until the appointments in March.

Chair Parrish volunteered to represent the Cultural Heritage Board on the Historic Preservation Fund Committee for the remainder of Mr. Falcone's term, ending in March, 2021.

Board Member Lech motioned to elect Chair Parrish to fill the last remaining months of the CHB's vacated position to the Historic Preservation Fund Committee, seconded by Board Member Tobin.

Board Member Brown was disconnected from the meeting due to technical issues.

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Brown, Cuevas,

ABSTENTION: None

DISCUSSION ON THE USE OF ARTIFICIAL TURF IN HISTORIC DISTRICTS

Mr. Watson stated that at the last meeting the Board received public comment from someone in the Seventh Street Historic District discussing the use of artificial turf. Board Members Tobin and Brown referred this issue for discussion at this meeting.

Chair Parrish postponed this item to later in the meeting, pending Board Member Brown's return to the meeting.



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COMMUNICATIONS

UPDATE ON THE 2020 MILLS ACT CONTRACTS

Mr. Watson gave an update of the 2020 Mills Act contracts. The City received 9 applications during the 2020 application period. Of the nine applications received 7 were for residential properties, two were for commercial properties which included the Mission Inn. The applications were approved by City Council on November 10, 2020.

Motion by Board Member Lech and seconded by Board Member Carter to accept and file the Mills Act update.

Motion Carried: 6 Ayes, 0 Noes, 1 Absent, 0 Abstention

AYES: Carter, Ferguson, Gamble, Lech, Parrish, Tobin

NOES: None

ABSENT: Brown, Cuevas

ABSTENTION: None



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DISCUSSION ON THE USE OF ARTIFICIAL TURF IN HISTORIC DISTRICTS – *continued*

Chair Parrish asked if this issue could be discussed today and revisited at a future meeting.

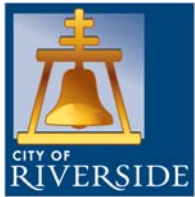
Mr. Beaumon stated that the item could be discussed at various meetings as long as it is on the published agenda.

Chair Parrish called for public comments and was informed there were no callers waiting to speak at this time.

Board Member Carter stated that where there should be grass, there should be actual grass but also noted that having to cut costs and labor should be considered. She stated she did not like the look of artificial turf.

Board Member Lech noted that the caller had indicated that the artificial turf was laid over concrete, which is typically not done. The issues of heat and water conservation is obviously something to be considered. His thought regarding this issue is that it is a fairly temporary thing which can be easily reversed. If someone is allowed to have artificial turf it isn't the same as adding a portion on to a building which is incompatible. This is something that can very easily reversed.

Chair Parrish stated that she made a special trip to the site this morning. This project was presented to the Board within the last year as an infill project which was approved by this Board. It is in a historic district. It is in very stark contrast in color and very noticeable by the lack of any landscaping other than the black wrought iron fencing and artificial grass in a pie shaped front yard and a small patch along the driveway. She stated she can totally understand Mr. Curl's concern. The Board was informed that the landscaping was approved because it sufficed in plans that the Board tentatively approved when the infill project was approved by the Board. She would like to request, that approval be brought up again because she did not remember there being any landscape plans at all for this particular home. She went to the National Park Service to see if they had any preservation briefs on landscaping. She found Preservation Brief #36 called Protecting Cultural Landscapes, and Planning Treatment and Management of Historic Landscapes. She searched the internet and got a plethora of websites. Anaheim, California; "Drought tolerant landscaping is allowed on Mills Act properties but visible artificial turf is not permitted". City of Orange, 2017, "artificial turf in areas visible from the street is prohibited". Dallas, Texas, 2009, "Dallas, sorry artificial turf just isn't historic", Chief Planner disallowed its use. Boise, Idaho, "artificial turf in the front yard cannot be visible from the

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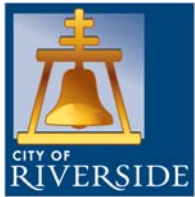
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sidewalk" and on and on. She believed the point is this, artificial turf is not historic. If you have a home or doing an infill home in a historic district you need to follow those guidelines. If, in the Riverside Guidelines we give permission for that, the Cultural Heritage Board needs to bring this up and we need to seriously discuss this. Although this can be undone, it is a slippery slope. She thought this definitely needs to be undone and she didn't know how the Board could go about this. Perhaps, the Historic Preservation Fund can come up with monies if the owner claims he spent a lot of money on this. She encouraged everyone to drive by it, we don't want this to happen again.

Board Member Tobin given Mr. Curl's prior position with the City, he thought he would have knowledge about the Guidelines. He is somewhat surprised to hear a difference in opinion between the two, one current and one past staff member, with respect to the guidelines and what is and not allowed. He stated he would concur with the Chair's direction. It is within the domain of the Board to make a final definitive recommendation on this issue. He asked that this issue come back to the Board for further discussion. Personally, he felt this was like the issue of vinyl windows, it just doesn't work. It may be that this single instance will have to stand unless there is some other way to address it. Any item in the future, the Board needs to have a definite position along the same lines of vinyl windows.

Chair Parrish, clarified for staff that the Board would want to readdress this discussion again in a future meeting, whether February or March or whenever the next meeting is. She felt that the Board would need input from Historic Preservation Officer, perhaps in written form. This needs to be an action item that the Board looks at and perhaps has influence to change the rules because it seems inappropriate. This would also provide an opportunity to revisit this along with Board Member Brown.

Mr. Watson indicated the Guidelines has very broad terms. He felt this was done to allow some flexibility and understanding with such terms as scale, unity, balance, hierarchy, and orientation. When you get to the actual numbered guidelines as mentioned by Mr. Curl, it does say that traditional character of residences, fronts and side yards should be preserved, however it does not get specific as far as the lawns and side yards must be grass. The Guidelines do not go into that detail. To address the Board's question regarding this item coming the Board. It may have been separate but it did include identification of turf in those areas. It may not have specified artificial turf but did specify turf.



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Chair Parrish stated that since the Board's recent interaction with the builder and home owner on Beacon Hill, where the Board did ask for landscaping plans, she would hope that future projects are brought before the Board and specific landscaping plans be presented so that something like this does not happen again. She noted that if she reads turf, she is assuming it is turf, not plastic or artificial. She was dismayed by the fact that this even flew. She felt those members continuing on the board need to hold this as a very important discussion and perhaps the board can influence change in the City.

Board Member Lech stated he agreed with Chair Parrish, if he sees the word turf, it is living stuff. His concern here is how did the Board approve a landscaping plan? This shouldn't be the Board's purview, should be staff level at this point.

Mr. Beaumon stated that the Board can say, that the landscape, is inconsistent with a historic district. The Board's purview is limited but it does exist.

Ms. Kopaskie-Brown clarified that it wasn't the Board that approved the landscaping, it was done at a staff level based on the Board's review.

Mr. Watson added that when this particular infill project was approved it did include comments in regard to turf. As a condition of approval, approved by Board, it required a landscaping plan to be approved by staff. Based on previous interpretations by previous staff, it was determined it was consistent with what was preliminarily approved by this Board and thereby was approved by staff. He noted that all infill projects, as a condition of approval, requires a formal landscape plan be submitted.

Board Member Tobin asked when this particular landscape plan was submitted to staff, it showed artificial turf which staff thought was consistent with the Design Guidelines.

Mr. Watson affirmed this, because it maintained the character of front lawn as seen from the public right-of-way.

Board Member Tobin asked Mr. Beaumon if the Board can at this meeting or a future meeting, provide staff with guidance as to what is appropriate landscaping within a historic district or for a historic structure?

Ms. Kopaskie-Brown informed the Board that staff is working on a Title 20 update. During this update, it would be appropriate for the Board to discuss the guidelines and standards



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for this issue which would ultimately be approved by the City Council. There is a lot of clean up that needs to be done and that may be the appropriate place for us to discuss those changes. Due to current staff workloads, Mr. Watson has been working on other projects not related to historic preservation. Hopefully things will get back to normal soon, and we will be able to focus on the Title 20 update again. She anticipating bringing the update to the Board before the end of the year.

Mr. Beaumon agreed with Ms. Kopaskie-Brown, the Title 20 update will probably be the fastest way for the Board to have communication with staff and the City Council on this matter.

Board Member Tobin inquired if there was a way for the Board to undo the approval.

Mr. Beaumon responded that this approval, unfortunately, was too far along the process.

Chair Parrish suggested an option that the Board consider next time something comes across the agenda, to specify historic or period appropriate landscaping and call out, no artificial turf. This way the Board knows it has given their recommendation since, as the Historic Preservation Officer says the guidelines are broad. She also agreed with Board Member Tobin, this should be the same as vinyl windows, they are not appropriate.

Mr. Beaumon stated that there is also an issue of whether or not state law will allow you to do that. He stated he would have to do research on this.

Chair Parrish stated she would be interested in what Mr. Beaumon finds. The Anaheim article specifically referenced homes that qualified for the Mills Act, which as you know are historic homes. This home is not historic, but it is in a historic district. The Board may see more infill projects in the future. She stated that she was disappointed in the city's guidelines and would like to see this agenized on a future agenda.



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ITEMS FOR FUTURE AGENDAS AND UPDATE FROM CITY PLANNER AND BOARD MEMBERS

Ms. Kopaskie-Brown announced that there are no items for the February meeting. There may be some items for the March meeting and staff is working with the applicants to finalize those.

The Historic Preservation Fund Committee is meeting on February 1.

Chair Parrish inquired if there was any news on the GIS update and the historic property surveys.

Mr. Watson stated that staff did reach out to the IT Department regarding the GIS update. IT was not able to attend the meeting today but staff will schedule them for the next available meeting.

ADJOURNMENT

The meeting was adjourned at 4:41 p.m. to the meeting of February 17, 2021 at 3:30 p.m.