



Community & Economic Development Department
3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | RiversideCA.gov

Planning Division

CULTURAL HERITAGE BOARD MEETING DATE: APRIL 17, 2024
AGENDA ITEM NO.: 5

PROPOSED PROJECT

Case Numbers	DP-2022-00047 (Certificate of Appropriateness); DP-2022-00048 (Environmental Impact Report)	
Request	To consider the following entitlements for a mixed-use development consisting of 388 multi-family residential units, and 25,320 square feet of commercial space: 1) A Certificate of Appropriateness for the demolition of the former 192,139 square foot Sears building and all appurtenances; and 2) An Environmental Impact Report, with respect to Cultural Resources	
Applicant	Jaime Chapman of Riverside Property Owner, LLC	
Project Location	5229 Arlington Avenue and is situated on the north side of Arlington Avenue, between Streeter Avenue and Capistrano Way	
APN	226-180-015	
Ward	3	
Neighborhood	Magnolia Center	
Historic District	Not Applicable	
Historic Designation	Not Applicable	
Staff Planner	Scott Watson, Historic Preservation Officer 951-826-5507 swatson@riversideca.gov	

RECOMMENDATIONS

Staff recommends that the Cultural Heritage Board:

1. **DETERMINE** whether the proposed request meets the Principles and Standards of Site Development and Design findings, provided in Section 20.25.050.A of the Riverside Municipal Code.

If the Cultural Heritage Board determines the request meets the required Principles and Standards of Site Development and Design:

2. **RECOMMEND** that the City Council find:

- a. The draft project Environmental Impact Report (DP-2022-00048) has been completed in compliance with the California Environmental Quality Act (CEQA);
 - b. The project will have a significant effect on the environment; but
 - c. There are no feasible alternatives to the project or mitigation measures that will avoid or substantially lessen the significant environmental effects as identified in the Draft EIR for project-specific significant and unavoidable impacts to a potential historic resource because it involves demolition of a potential historic resource; and
3. **PROVIDE A RECOMMENDATION TO APPROVE OR DENY** Planning Case DP-2023-00047 (Certificate of Appropriateness), based on the facts for findings outlined and summarized in the staff report, and subject to the recommended conditions and mitigation measures.

BACKGROUND

Project Site/former Sears Building

The 17.37-acre project site (Exhibit 2) was developed in 1964 with the Mid-Century Modern style former Sears Department Store and Auto Service Center, designed by notable architect Charles Luckman. Site improvements include a 178,426 square-foot two-story department store building (consisting of consists of a 90,526 square-foot basement and 87,900 square-foot ground level), a 13,713 square-foot single-story auto service station, and a surface parking lot consisting of 1,722 parking spaces.

The Sears building remained in operation until 2019 when it was closed. Overall, the building has had no significant alterations. However, due to repeated vandalism the electrical and mechanical systems of the building have been destroyed.

Historic Designation Eligibility

The building was found eligible for listing in the California Register and City Landmark designation in 2009 as part of the development of the City of Riverside Modernism Context statement and again in 2013 as part of the Citywide Modernism Survey (Exhibits 4, 5, and 6).

As part of the environmental review under CEQA, a Draft Environmental Impact Report (DEIR) was prepared for the proposed project (Exhibit 10). Dudek was contracted by the applicant to prepare a Cultural Resources Technical Report as part of the DEIR preparation. The Cultural Resources Report authored by Heather McDaniel McDevitt, a Cultural Resources Consultant meeting the Secretary of the Interior Professional Qualifications, found that the former Sears structure was eligible for listing in the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) under criterion C/3 as an example of Mid-century Modern department store architecture it is embodies distinctive characteristics of a type, period, or method of construction. Additionally, the structure is also eligible under criterion 3 as it represents the work of a prominent architect, Charles Luckman.

The report also found that the structure is eligible for City Landmark designation under criteria 1, 3, 5, and 7, as the structure is an excellent example of the Mid-Century Modern style and the history of Modernism in Riverside, represents the work of a prominent architect (Luckman), possesses high artistic value and represents an architectural achievement, and is one of two Mid-Century Modern department stores in the City of Riverside.

Further, the report found that the structure has had no significant alterations and retains a high degree of integrity required for historic designation. The full evaluation and supplemental information can be found in the attached Cultural Resources Report (Exhibit 11).

Cultural Heritage Board Workshop

An applicant requested workshop for the proposed project was held before the Cultural Heritage Board (CHB) on January 17, 2024 (Exhibit 7). Comments from CHB members included that the existing structure be reused rather than demolished, if possible, and for the character-defining feature of the former Sears Building to be reflected in the proposed new construction. Board Members provided specific comments as follows:

- The proposed design should include the strong horizontal of the existing structure.
- Secondary features, such as the sawtooth rear canopy, should remain secondary and not elevated in prominence.
- The project should reuse existing materials, if feasible.
- The design of the primary structures should reflect the design of the existing structures.
- Potential for integration of the saw canopy design into the pedestrian walkways.
- The proportion of the existing building should be clearly reflected in the design.
- The height of the project should be compatible with the height of the existing building and surrounding residential.
- The project should include acknowledgement of the architect.

Following the workshop, the applicant met individually with the majority of CHB members to gain specific feedback on the proposed project. Comments included suggested modifications to the proposed new construction to better reflect the design of the existing building and the desire for the inclusion of project components that provide a community benefit.

Adaptive Reuse Feasibility

As recommended by CHB, an adaptive reuse feasibility study was completed and included as an attachment to the Cultural Resources Report. The report reviews building improvements necessary to reuse the building as either multi-family residential or as self-storage. Self-storage was investigated as it would require the lowest level improvements of any commercial reuse. The report found that due to the type of construction, with a large subterranean basement, significant structural improvements would be required for any type of adaptive reuse, residential or commercial, would be significant; therefore, being cost prohibitive. Additionally, if the building were to be adaptively reused for residential, windows for lighting, ventilation, and emergency will be required to be added. The lack of windows is a significant feature of the building because Sears building post-1930s lacked windows to control lighting of merchandise from the interior; therefore, the

addition of windows to the structure will have a significant impact on the character-defining features of the building.

PROJECT DESCRIPTION

The project proposes to demolish the existing former Sears Building to facilitate the development of a mixed-use development consisting of residential and commercial uses. The project components include the following:

- Residential:
 - 27 residential buildings providing for 546,474 square feet of residential use, with a total of 388 dwelling units, consisting of:
 - 13 3-story garden style buildings
 - 14 2-story townhome buildings
 - A 4,409 square foot Clubhouse/Fitness/Leasing building.
 - A 4,036 square foot dog park, pedestrian promenade, picnic, pool and spa, shade structures, barbeques and tables, outdoor gaming and play spaces, multi-use turf areas, and play areas.
- Commercial:
 - 25,320 square feet of commercial-retail use within two commercial-retail buildings in the southeastern portion of the site along Arlington Avenue, as follows:
 - A 5,000 square feet multi-tenant retail speculative pad with an adjoining outdoor dining/flex space.
 - A 20,320 sq. ft. grocery store pad.

While the Certificate of Appropriateness request only applies to the demolition of the former Sear Building, the project applicant has made effort to incorporate the character-defining features of the existing building into the proposed project to showcase the history of the project site. Based on the feedback from CHB, the applicant has made significant changes to the architectural design of the project to make reference to the Mid-century Modern design to the former Sears Building, including but not limited to:

- Focus on horizontality;
- Asymmetrical block like massing;
- Rectangular roof overhangs that wrap the sides of the building;
- Flat canopies extending past the edges of the building;
- Folded plant freestanding canopies;
- Materials that reflect the existing structure, including concrete screen blocks, stucco cladding, and reuse of metal screens as possible;
- Aldi elevations revised to include the horizontal canopy;
- Signage to reflect the historic "Sears" script font; and,
- A public art piece to showcase the history of the site and to provide information regarding that history.
- Interpretive history display within the leasing office/clubhouse.

As a matter of information, on April 25, 2024 the Planning Commission will consider and provide a recommendation to City Council on the following entitlements:

- General Plan Amendment (GPA) - Proposes to amend the general plan land use designation from C - Commercial to MU-V - Mixed Use-Village.
- Rezone (RZ) - Proposes to rezone the site from CG - Commercial General to MU- V - Mixed Use-Village.
- Site Plan Review (PPE) - Proposes to develop the 17.37 net acre site with a 576,203 square foot mixed-use apartment community.
- Tentative Parcel Map No. 38638 (TPM) - Proposes to subdivide the 17.37 net acre site into 2 parcels for financing, conveyance, and phasing purposes.

PROJECT ANALYSIS

FACTS FOR FINDINGS

Pursuant to Chapter 20.25.050 of Title 20 (Cultural Resources) of the Riverside Municipal Code (RMC), the CHB and Historic Preservation Officer must make applicable findings of specific Principles and Standards when approving or denying a Certificate of Appropriateness. For proposed projects involving individually significant Cultural Resources (i.e. City Landmarks, Structures of Merit, eligible Landmarks, etc.), the proposed project should demonstrate:

<i>Chapter 20.25.050.A – Principles and Standards of Site Development and Design Review for Individually Significant Resources</i>
<i>Consistency or compatibility with the architectural period and the character-defining elements of the historic building, such as colors, textures, materials, fenestration, decorative features, details, height, scale, massing, and method of construction.</i>
Facts: This finding is not applicable as the project involves the removal of the structures from the project site and does not involve any new structures or any addition to existing structures where consistency or compatibility with an architectural period of character-defining elements of historic building is a consideration.
While this finding is not applicable, the mixed-use project incorporates several design features of the historic structure, such as a strong sense horizontality, block like massing, flat canopies, and wrapping roof form.
<i>The proposed project does not destroy or pose a substantial adverse change to an important architectural, historical, cultural or archaeological feature or features of the Cultural Resource.</i>
Facts: The proposed project includes the demolition of a structure found eligible for listing in the NRHP/CRHR and designation as City Landmark. The demolition of the structures on the site will result in a significant unavoidable impact to a historical

**Chapter 20.25.050.A – Principles and Standards of Site Development and Design
Review for Individually Significant Resources**

resource as analyzed in the DEIR. Thus, in order to proceed, the project will require the City Council to adopt a Statement of Overriding Considerations in conjunction with certification of a Final EIR.

CHB may find that the project is consistent with this finding as follows:

- While the proposed project will demolish an eligible Cultural Resource, as defined by Section 20.50.010 of the RMC, the proposed new construction incorporated character-defining features of the existing structure to reference to the architectural history of the project site.
- The proposed Mitigation Measures and project design features, such as a public art feature, will adequately document the history of the site and the work of Charles Luckman through HABS level documentations that will be available to through the City Planning Division, the Riverside Public Library, and the Museum of Riverside.
- Per the Cultural Resources Report, the adaptive reuse of the existing building would also result in significant adverse impacts through necessary upgrades to the existing structural and improvements to meet lighting and ventilation. Additionally, the required improvements would be technically and economically infeasible.
- The proposed project incorporated architectural features of the proposed building, including but not limited to:
 - Strong sense of horizontality will block-like massing;
 - Flat horizontal canopies that wrap the proposed building.
 - Rectangular roof overhangs that wrap the sides of the building segments;
 - Reuse of existing metal perforated screens, as possible;
 - Concrete box screen walls for the ground floor patios;
 - Stucco cladding;
 - Similar building height; and,
 - Neutral color scheme with tans and gray.

Alternatively, CHB may find that the project is inconsistent with this finding as follows:

- The proposed project will demolish an eligible Cultural Resource, as defined by Section 20.50.010 of the RMC, resulting in an adverse change to an important architectural or historical resource.

Compatibility with context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings.

Facts: The proposed project includes the demolition of structure found eligible for listing in the NRHP/CRHR and designation as City Landmark. The demolition of the structures on the site will result in a significant unavoidable impact to a historical resource as analyzed in the DEIR. In order to proceed, the project will require the City Council to

**Chapter 20.25.050.A – Principles and Standards of Site Development and Design
Review for Individually Significant Resources**

adopt a Statement of Overriding Considerations in conjunction with certification of a Final EIR.

CHB may find that the project is consistent with this finding as follows:

- While the proposed project will alter the site development, the projects sites relationship to the surrounding neighborhood will remain unaltered and will continue to be surrounded by residential to the east, north, and west, and the commercial to the south.
- The project will not significantly alter the site grading.
- The existing structure has a dominating presence in the neighborhood due to its strong building form and its position within the site. The existing structure and sizable parking created a prominent contrast to the surrounding single-family neighborhood and small commercial center. The proposed project continues to create a strong presence in the neighborhood due to the incorporation of similar and strong building forms and architectural and historic references to the original building.

Alternatively, CHB may find that the project is inconsistent with this finding as follows:

- The proposed project will demolish an eligible Cultural Resource, as defined by Section 20.50.010 of the RMC, will result in an alteration of the site development, because the project site is currently developed with a structure in the center of the site and surrounded by surface parking.

Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Facts: This finding is not applicable as the project involves only the removal of the structures from the project site and does not involve any new structures or any addition to existing structures where consistency with the Secretary of the Interior' s Standards is a consideration.

Additionally, based on feasibility assessments included as an attachment to the DEIR – Appendix C (Cultural Resources), the adaptive reuse of the structure is technically infeasibility due to necessary structural upgrade required because of the large subterranean basement and the necessary upgrades and replacement of electrical and mechanical systems, which have been destroyed by vandalism. Per the National Park Service, “the Standards will be applied taking into consideration the economic and technical feasibility of each project.” As stated in the DEIR, adaptive reuse has been found to be economically and technically infeasible due to necessary structural and systems upgrade need to meet Building Codes for life-safety; therefore, the application of the Standard to the proposed project is not required.

**Chapter 20.25.050.A – Principles and Standards of Site Development and Design
Review for Individually Significant Resources**

As applicable, consistency with other federal, state, and/or local guidelines.

Facts: An EIR was prepared for the project following CEQA guidelines; therefore, the project is consistent with other applicable state guidelines. There are no additional Federal or local guidelines that apply to the proposed project.

AUTHORIZATION AND COMPLIANCE SUMMARY

Regulatory Codes	Consistent	Inconsistent
<p>Historic Preservation Code Consistency (Title 20)</p> <p>Based on the Fact for Findings discussed above, CHB may recommend to City Council that the proposed project is consistent with Section 20.25.050 of the RMC as a DEIR was prepared for the project, which will require a Statement of Overriding Consideration to be adopted by City Council and the project meets the spirit of the findings through the use of Mitigation Measures and new construction that reflects the architectural heritage of the project site.</p> <p>Alternatively, CHB may recommend that the proposed demolition is inconsistent with Section 20.25.050 of RMC as the project will demolish a structure that is eligible for City Landmark designation and listing in the NRHP and CRHR.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL REVIEW

Pursuant to Section 15060(d) of the CEQA Guidelines, an Initial Study (IS) was prepared for the proposed project to determine if the project would have a significant effect on the environment. The IS and Notice of Preparation (NOP) were circulated on June 15, 2023, with the review period ending October 15, 2021. The analysis in the IS concluded that no impacts would occur to Agriculture & Forest Resources Air Quality, Geology/Soils, Hydrology/Water Quality, Mineral Resources, and Wildfire.

The remaining sections in the IS checklist were identified as having a potentially significant impact requiring the preparation of an Environmental Impact Report (EIR), consistent with Sections 15161 and 15126.6 of the CEQA Guidelines and City of Riverside Resolution No. 21106. The EIR included analysis of potential effects associated with Transportation and Tribal Cultural Resources.

CEQA Guidelines indicate a Project EIR should focus primarily on the changes in the environment that would result from the project. The EIR should describe a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.

The Draft EIR includes four alternatives to the project:

- Alternative 1 – No Demolition/Keep Existing Commercial Designation;
- Alternative 2 – Adaptive Reuse to Residential Project Objectives Comparison;
- Alternative 3 – ALUC Consistency; and,
- Alternative 4 – Reduced Density/Intensity;

The EIR concludes that only two of the Alternatives would meet any of the Project objectives and that with the exception of Cultural Resources, Green House Gas Emissions, Hazards and Hazardous Materials, Land Use, and Transportation, all impacts related to the proposed project have been identified as less than significant or have been reduced to below the level of significance with mitigation (Exhibit 9).

Notwithstanding the implementation of mitigation measures, Cultural Resources, Green House Gas Emissions, Hazards and Hazardous Materials, Land Use, and Transportation impacts would remain significant and unavoidable, and a Statement of Overriding Consideration is required to be adopted by the City Council including:

- Cultural Resources - The proposed project will result in project-specific and cumulative significant and unavoidable impacts to a potential historic resource because it involves demolition of a potential historic resource;

As a matter of information, the Planning Commission will review and provide a recommendation to City Council the following environmental impacts:

- Greenhouse Gas Emissions - The proposed project will result in cumulative significant and unavoidable impacts due to an inconsistency with Riverside County Airport Land Use Commission policies so will result in significant and unavoidable impacts;
- Hazards and Hazardous Materials - The proposed project result in project-specific and cumulative significant and unavoidable to greenhouse gas emissions because its emissions exceed the numeric threshold used by the City;
- Land Use and Planning - The proposed project will result in project-specific and cumulative significant and unavoidable impacts due to and an inconsistency with the general plan policies related to airport land use due the projects inconsistency with Riverside County Airport Land Use Compatibility Plan policies so will result in significant and unavoidable impacts; and
- Transportation - The proposed project will result in cumulative significant and unavoidable transportation impacts. The priority and timing of these road improvements cannot be determined at this time, nor are they under the sole control of the project proponent and in case of other jurisdictions, the City, to implement. Hence, it is possible that the required improvements will not be constructed in time to mitigate the Project's cumulative impacts upon off-site intersections and roads to below the level of significance. Further, an intersection will continue to operate at an unacceptable LOS in the buildout condition which is inconsistent with General Plan transportation policies. This specifically relates to the dedicated eastbound connector lane at the southeast corner of Arlington Avenue and California Avenue.

Mitigation Measures

The project includes several design features such as architectural references, interpretive art, and historically compatible signage. The DEIR also includes mitigation measures related to Cultural Resources to lessen the environmental impact from the demolition of structures found eligible for historic designation. The mitigation will document the history of the site through photos meeting National Park Service Guidelines. The provided mitigation related to the demolition the structure are as follows:

MM CR-1: Historical Resources.

Prior to the demolition or rehabilitation of the existing structures on the Project parcel, the City shall ensure preparation of Historic American Building Survey (HABS) Level I or Short Format-like documentation in accordance with the Secretary of the Interior's Standards for Architectural and Engineering Documentation. All work shall be conducted by an architectural historian who meets the Secretary of the Interior's Professional Qualifications Standards for architectural history and/or history.

The HABS-like documentation shall follow the guidelines set forth by the National Park Service (NPS) for HABS I or Short Format documentation. The HABS-like document shall include:

- Black and white photographs with large-format negatives of exterior and interior views (10 views minimum);
- Photograph Index;
- Photocopies with large-format negatives of select, existing drawings or historic views that are produced in accordance with the U.S. Copyright Act; and
- Full-length historical report, as outlined in the Guidelines for Architectural and Engineering Documentation in the Federal Register (68 FR 43159).

Large format photography shall be completed prior to issuance of any project related permitting or construction. Photographic documentation of the existing structures on the Project parcel shall be prepared to the National Park Service's HABS standards. A minimum of ten (10) views should be recorded, including views of the overall site and landscaping context as well as detailed views of each elevation of existing structures. HABS standards require large-format black-and-white photography, with the original negatives having a minimum size of 4 inches by 5 inches. The photographer shall be familiar with the recordation of historical resources in accordance with HABS guidelines, and digital photography, roll film, and manipulation of images are not acceptable. Photographs shall include a photo index, and field notes, and be identified and labeled using HABS standards outlined in National Park Service's guidelines Preparing HABS/HAER/HALS Documentation - Transmittal Guidelines.

A draft laser copy (or digital PDF) of the finished photographs formatted to the photo index shall be reviewed and approved by a historic preservation program staff member with City of Riverside prior to final archival prints being made. A copyright release form signed by the photographer releasing copyright of the large format photographs into the public domain for public benefit shall be required with the deliverables. One original copy of the final HABS-like documentation packet shall be offered to the following entities:

- City of Riverside Historic Preservation Program;
- Riverside Public Library;
- Riverside Historical Society; and
- Riverside Metropolitan Museum.

PUBLIC NOTICE, COMMUNITY MEETINGS, AND COMMENTS

On July 12, 2023, staff held a virtual scoping meeting to inform the community an Environmental Impact Report (EIR) was being prepared for the proposed project, solicit input on the Scope of the EIR, provide information on the CEQA/EIR process, share an overview of the proposed project, and inform the community of all future opportunities for input.

Pursuant to CEQA, a 45-day review and comment period was provided from February 6, 2024, to March 22, 2024. A Notice of Availability was mailed to property owners within 600 feet of the project's sites and to various Federal, State, regional, and local government agencies, and other interested parties, including the agencies/interest groups that commented on the Notice of Preparation. The Notice of Availability was also published in the Press Enterprise.

During the 45-day comment period, staff received two comment letters related to Cultural Resources (Exhibit 8):

1. Agua Caliente Band of Cahuilla Indians – Acknowledged the project is located outside of Cahuilla ancestral territory and as such is requesting full time archaeological and monitoring.
2. Paula Horychuk – Asserts that the project is inappropriate due to significant and unavoidable impact and is inconsistent with the City's General Plan Historic Preservation Element and Title 20 of the RMC.

A Notice of Public Hearing was mailed to property owners within 600 feet of the project sites after the 45-day comment period. As of the writing of this report, Staff has received one comment letter (Exhibit 8):

1. Paula Horychuk – Email stating that the project is not right for Riverside and stating that the EIR overlooks significant and adverse impacts.

Response to comments will be addressed in the Final EIR.

APPEAL INFORMATION

Actions by the CHB, including any environmental finding, may be appealed to the Land Use, Sustainability and Resilience Committee (formerly the Land Use Committee) within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Division by calling 951-826-5371.

STRATEGIC PLAN

This item contributes to the Envision Riverside 2025 City Council Strategic Priority 5 – High Performing Government (Goal 5.3 – Enhance communication and collaboration with

community members to improve transparency, build public trust, and encourage shared decision-making).

This item aligns with the following Cross-Cutting Threads:

1. Community Trust: The application for a Certificate of Appropriateness is being reviewed at a public meeting of the CHB and notices were sent to property owners within a 600-foot radius of the property, providing an opportunity to comment on the project.
2. Equity: The application for a Certificate of Appropriateness will be discussed at a CHB meeting meetings which is available to all residents and can be viewed both in person and virtually.
3. Fiscal Responsibility: The application for a Certificate of Appropriateness has no impact on City General Funds.
4. Innovation: The application for a Certificate of Appropriateness makes use of historic design principle with new construction to eliminate potential impacts to the historic resource.
5. Sustainability and Resiliency: The application for a Certificate of Appropriateness provides an opportunity increase the housing stock within the City.

EXHIBITS LIST

1. Staff Recommended Conditions of Approval
2. Aerial Photo/Location
3. Site Photos
4. 2009 DPR Form
5. 2013 DPR Form
6. Dudek Cultural Resources Report
7. CHB Minutes January 17, 2024
8. Project Plans (Project Information, Site Plan, Floor Plans, Elevations, Landscape Plans, Renderings)
9. Comment Letters
10. Draft Environmental Impact Report – City's Website
<https://riversideca.gov/planning/>
11. City of Riverside Modernism Context Statement
<https://riversideca.gov/cedd/sites/riversideca.gov.icedd/files/pdf/planning/historic-preservation/Modernism.pdf>

Draft EIR – Also on File with the City's Community & Economic Development Department, 3900 Main Street, Riverside, CA 92522, Riverside Main Public Library, 3911 University Avenue, Riverside, CA 92501 and Marcy Public Library, 6927 Magnolia Avenue, Riverside, CA 92506.

Prepared by: Scott Watson, Historic Preservation Officer
Approved by: Maribeth Tinio, City Planner



CITY OF
RIVERSIDE

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT PLANNING DIVISION

EXHIBIT 1 – CONDITIONS OF APPROVAL

PLANNING CASE: DP-2022-00047, -00048

MEETING DATE: April 17, 2024

CASE SPECIFIC CONDITIONS

1. All applicable conditions of related Planning Cases DP-2022-00025 (Site Plan Review), DP-2022-00035 (General Plan Amendment), DP-2022-00036 (Rezone), and SD-2022-00002 (Tentative Parcel Map) shall apply. Action by the Planning Commission or City Council on the related planning entitlement cases that results in significant modifications to the project may require submittal and review of a revised Certificate of Appropriateness application.
2. All mitigation measures, as outlined in the Mitigation, Monitoring and Reporting Plan in the FEIR, shall be completed in accordance with the designated schedule.
3. Approval of this project is contingent upon the Certification of the Environmental Impact Report associated with this project.
4. Plans shall conform to the exhibits attached to this report. Proposed modifications to the approved design shall be submitted to the Planning Division and shall include revised exhibits and a narrative description of the proposed modifications. The Applicant is advised that an additional development applications and fees may be required.
5. The project shall be in substantial conformance with the historic project design features as shown in the project plans included within the attached exhibits.
6. Prior to issuance of occupancy, the applicant shall work with staff to develop and install the public art feature and interpretive display in the leasing office/clubhouse that will provide an interpretation of the site's historic significance.

GENERAL CONDITIONS

7. There is a one-year time limit in which to secure the necessary building permits required by this Certificate of Appropriateness. If unable to obtain necessary permits, a time extension request letter stating the reasons for the extension of time shall be submitted to the Planning Division. HP staff may administratively extend the term of a Certificate of Appropriateness for one year, no more than twice.

PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE CERTIFICATE OF APPROPRIATENESS.

8. The project must be completed in accordance with the Cultural Heritage Board's (CHB) Certificate of Appropriateness approval, including all conditions listed. Any subsequent changes to the project must be approved by the CHB or HP staff.

9. This approval for the Certificate of Appropriateness is for design concept only and does not indicate the project has been thoroughly checked for compliance with all requirements of law. As such, it is not a substitute for the formal building permit plan check process, and other changes may be required during the plan check process.
10. Granting this Certificate of Appropriateness shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.