



# Administrative Report

L.1., File # 22-4795

Meeting Date: 10/4/2022

**To: MAYOR AND CITY COUNCIL**

**From: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR**

## **TITLE**

PUBLIC HEARING FOR CONSIDERATION OF AN APPEAL OF THE HISTORIC PRESERVATION COMMISSION DECISION DENYING THE REQUEST FOR THE REMOVAL OF PROPERTY LOCATED AT 2501 CURTIS AVENUE FROM THE LIST OF POTENTIAL HISTORIC RESOURCES PURSUANT TO THE REQUIREMENTS OF CHAPTER 4, TITLE 10 OF THE REDONDO BEACH MUNICIPAL CODE

## **PROCEDURE:**

The public hearing is to be structured in the following order, subject to the Rules of Conduct for City Council meetings:

1. Announcement and motion to the open public hearing;
2. Motion to receive and file affidavit of publication, case file, and written correspondence;
3. Staff presentation;
4. Public testimony and presentation of evidence;
  - a. Proponent maximum of 1 hour;
  - b. Appellant maximum of 1 hour
  - c. Public comment 3 minutes each;
  - d. Appellant rebuttal 20 minutes;
  - e. Proponent rebuttal 20 minutes.
5. City Council questions;
6. Motion to close public hearing;
7. City Council discussion and debate;
8. Motion and action.

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2210-076, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, OVERTURNING THE PRESERVATION COMMISSION TO DENY THE CERTIFICATE OF APPROPRIATENESS AND APPROVING THE REQUEST TO REMOVE THE PROPERTY LOCATED AT 2501 CURTIS AVENUE FROM THE LIST OF POTENTIAL HISTORIC RESOURCES PURSUANT TO THE REQUIREMENTS OF CHAPTER 4, TITLE 10 OF THE REDONDO BEACH MUNICIPAL CODE;

OR

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2210-077, A RESOLUTION OF THE CITY

COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, UPHOLDING THE PRESERVATION COMMISSION DECISION TO DENY THE CERTIFICATE OF APPROPRIATENESS REQUESTING THE REMOVAL OF PROPERTY LOCATED AT 2501 CURTIS AVENUE FROM THE LIST OF POTENTIAL HISTORICAL RESOURCES PURSUANT TO THE REQUIREMENTS OF CHAPTER 4, TITLE 10 OF THE REDONDO BEACH MUNICIPAL CODE

### **EXECUTIVE SUMMARY**

The owner of the property at 2501 Curtis Avenue requests that the City Council consider an appeal of the Preservation Commission decision denying the request for removal of the property from the list of Potential Historic Resources for the intent to demolish the existing residence at 2501 Curtis Avenue. The property is listed on the City's Historic Resources Survey/Inventory as a "B" rated Craftsman building, establishing it as a Potential Historic Resource per the City's Historic Resources Preservation regulations under Title 10, Chapter 4 of the Redondo Beach Municipal Code (RBMC).

City staff assessed the site in 2021 and found the property to be eligible for local landmark designation. The applicant submitted a Certificate of Appropriateness application, along with a detailed historic resource evaluation prepared by GPA Consulting, requesting that the property be removed from the Historic Resources Inventory so that property could be sold to a developer and the structure potentially demolished. The request was reviewed by the Preservation Commission at a public hearing on July 6, 2022. The Preservation Commission voted (4 to 1) to deny the request to remove the property from the Potential Historic Resources list. An appeal was filed by the applicant on July 18, 2022.

### **BACKGROUND**

**PRESERVATION COMMISSION CONSIDERATION:** The City's Historic Preservation Ordinance distinguishes different types of potential historic resources in the Historic Resources Survey/Inventory through a rating system. A Potential Historic Resource is defined in RBMC 10-4.104 as "any improvement, building, structure, landscape, sign, feature, site, place or area that is: (1) listed in the City's Historic Resources Inventory with a National Register rating of 1-5 or a local survey rating of A or B; and/or (2) listed in the National Register of Historic Places or California Register; and/or (3) that has been evaluated pursuant to the California Environmental Quality Act and determined by the Community Development Director to meet the criteria listed in (1) and/or (2) above."

The subject property at 2501 Curtis Avenue is listed in the Historic Resources Survey/Inventory as a "B" rated Craftsman structure built in 1934, and therefore qualifies as a Potential Historic Resource per RBMC 10-4.104. Following an inquiry from the owner, staff requested that the applicant complete a Historic Inquiry Form to assess the property further. The applicant submitted the completed form to the Planning Division on September 9, 2021. Staff began to research the Planning, Building, and Library archives for historic information on the property. Staff performed a site inspection on September 23, 2021 to assess the character-defining features and general conditions of the property. The final staff assessment (see attached) was provided to the applicant on October 1, 2021. Staff noted the following conclusion within the assessment:

"While the property needs some maintenance and has unusual exterior stonework, the building overall is a good example of Craftsman architecture. The Craftsman style is the most prominent style in Redondo Beach and it could even be argued that the stonework makes it all the more unique. With the site hosting weekly services, it could also be argued that the property served as a religious center during the early development of this community. Lastly,

this site was home to one of the few local female engineers with ties to an industry that became very important to the growth of the northern portion of Redondo Beach. For the reasons noted above, it is staff's opinion that this property is most likely eligible for local landmark designation.

The current owners have the option to explore designation or to engage with a Preservation Consultant to obtain a formal Historic Resources Evaluation. The evaluation is a much more in-depth review of research beyond the City records. Please note that designating a property as a local historic landmark does not preclude the property from being expanded through the Certificate of Appropriateness (COA) application process. Through the COA review process, the owners could explore compatible floor area additions as well as accessory dwelling units. Likewise, the interior of the home can be further renovated to meet more modern standards."

The applicant disagreed with the findings noted within the assessment and requested information on how to pursue removing the property as a Potential Historic Resource. Per RBMC 10-4.311, a Certificate of Appropriateness would need to be approved by the Preservation Commission in order to remove a property as a Potential Historic Resource.

**10-4.311 Removal of a property from the potential historic resource list.**

The property owner of a property identified by the City as a potential historic resource may request that the property be removed from the list if he or she provides specific written and verifiable documentation refuting that the property meets the criteria for designation as a landmark as described herein. An example would be that documentation is discovered that an unknown architect designed a property that was thought to have been designed by a famous architect, or the structure has been altered to an extent that the historic integrity has been lost. The Commission shall review the request for removal following the same procedures identified in Sections 10-4.306, 10-4.308 and 10-4.309 herein.

Staff provided (via email) the Certificate of Appropriateness application and the Preservation Consultant list to the applicant on October 5, 2021.

The applicant hired GPA Consulting (GPA) to prepare a formal historic resource evaluation. The draft evaluation dated February 1, 2022 was submitted (see attached), along with the Certificate of Appropriateness application, to the Planning Division on May 10, 2022. It should be noted that the appeal includes an updated report dated April 4, 2022. The April 4, 2022 version of the report was not provided to or reviewed by the Preservation Commission.

In contrast to the City Historic Resources Survey/Inventory, the evaluation prepared by GPA indicates that the property is not eligible for designation on the Local, State, or National registers. Some of the key points include that the development of this property does not specifically have an important association with the early development patterns of this area. The home itself was constructed by an owner-builder and while it has some elements that are "reminiscent of the Craftsman style", the building "lacks some of the most important character-defining features." It is also noted that the stonework was applied to the building after its construction, in irregular patterns, and on top of the original exterior materials. Moreover, the report notes that the building has been "so substantially altered over the years" that it no longer maintains its original integrity. Lastly, the report indicated that none of the previous owners appear to have any local prominence.

The Preservation Commission reviewed the Certificate of Appropriateness application, which included the historic resource evaluation prepared by GPA, at a public hearing on July 6, 2022. The Preservation Commission also received the Staff assessment dated October 2, 2021 and the corresponding historic research. After receiving public testimony and deliberating, the Preservation Commission voted to deny the request (4-1, Jackson dissenting, Galassi and Taner absent) for removal from the list for the intent to demolish the existing residence. The following were the findings made by the Preservation Commission for denial (see attached Resolution):

1. The property is very distinctive and one-of-a-kind. The characteristics represent a certain method of construction.
2. The site is one of the first houses built in North Redondo Beach.

3. The owner that built the property was featured in the Los Angeles Times at least twice.
4. While modifications were made to the structure, the shape and form of the building remains intact.

APPEAL: The July 6, 2022 Preservation Commission's decision to deny the request to remove the property from the Potential Historic Resource list was appealed by the applicant on July 18, 2022. The appeal documents are included with this Administrative Report. The following points were noted within the appeal documents. Staff have provided responses to each of those points for clarification (in italics):

- The appeal states that the owner was told to hire a Preservation Consultant for the Certificate of Appropriateness application process and Staff provided a consultant list to him.

*Per Municipal Code Section 10-4.311, applicants need to provide "specific written and verifiable documentation refuting" the eligibility of the property. Preservation Consultants are the subject matter experts and would analyze the property in greater detail with research that goes beyond the City records. Staff did provide the owner with a list of consultants; however, Staff does not formally recommend any one firm. The Preservation Consultant list aims to assist owners of potentially historic properties, though, any Preservationist may be chosen.*

- The appeal states that the Preservation Commission did not ask any questions regarding the comprehensive analysis prepared by GPA at the public hearing. The appeal, therefore, claims that the Preservation Commission did not consider the findings in the historic resource evaluation and hiring GPA was merely "procedural."

*The Preservation Commissioners, particularly Vice Chair Matsuno and Commissioner Jackson, did engage in dialogue with the applicant and the GPA representative at the meeting. Matsuno discussed the method and type of construction and he referenced various elements from the report, including a footnote regarding a newspaper article. Commissioner Jackson asked the applicant questions regarding the ownership history, the deferred maintenance, and exploring development alternatives. Staff included the key points from the GPA report in the main PowerPoint presentation at the beginning of the public hearing. The GPA representative also had the opportunity to further discuss their findings during the meeting. Therefore, the Preservation Commission was presented information from the City survey, the assessment from Staff, and the evaluation from GPA. All elements of research were considered by the Preservation Commission.*

- The appeal indicates that the Preservation Commission "used the vague language of the ordinance to fulfill their personal views and personal objectives." The appeal further notes that the Preservation Commission "ignored" GPA's research.

*As stated previously, the findings outlined in the GPA evaluation were presented and discussed at the public hearing in July. Vice Chair Matsuno referenced the GPA report in his comments and also spoke to the specific criteria outlined in the Preservation Ordinance.*

- The appeal claims that staff's comments "clearly prejudiced the vote" when discussing the more impressive projects that GPA most likely assesses across the country. The appeal further states that these comments "rendered GPA's credentials irrelevant and findings worthless."

*Staff explained that many of the locally designated structures were originally owned by working class families and are, therefore, modest in design. The more impressive landmarks, such as The Sweetser House at 417 Beryl Street and the Historic Library in Veteran's Park, are not as common in the City. The vast majority of the properties included in the Preservation Program are small in scale and are often "B" or "C"-rated. Staff assesses properties through the lens of Redondo Beach's humble history. GPA, and well-established Preservation Consultants like them, often evaluate historic properties that are grander and reflect greater architectural details with elevated craftsmanship. Celebrated properties like The Lummis House and the Gamble House would not be found in Redondo Beach.*

*At the July 6, 2022 Preservation Commission public hearing regarding this item, Staff noted that Preservation Consultants GPA analyzed the property in greater detail with research that goes beyond the City archives.*

*Staff did not provide a formal recommendation to the Preservation Commission on whether or not to approve the request. The recommendation was for the Commission to review the supporting materials, take public testimony,*

*and make a determination regarding the Certificate of Appropriateness. Two draft resolutions were prepared for consideration (one for approval and one for denial) for flexibility in the Preservation Commission's determination. Even when pressed during the public hearing, Staff remained neutral on this application.*

- The appeal states that the Preservation Commission did not consider the physical condition of the house or the financial hardship. Furthermore, the property has been unsuccessful in obtaining offers for sale and it is "uneconomic to rent."

*The property has not been maintained for some time. During the public hearing process, it was revealed that the current family has owned and lived at this property since 1972. The Preservation Commission noted that the neglect is truly the owner's neglect (often referred as "demolition by neglect" within the Preservation community). Staff noted that eligible properties often need maintenance and repairs. It is quite common for a site to be locally designated as a historic landmark, but still need restoration.*

*When Staff inspected the property in 2021, the interior spaces appeared to be in fairly good condition. The interior is outdated, but generally clean and visually appeared to be livable. It was unclear if the owners attempted to rent the property and were not successful, since this was not stated at the public hearing. The owner referenced financial hardship anecdotally at the hearing to do improvements to the property; however, no specific data regarding the economics of the property was provided. Again, the property has not been maintained for some time. The house needs maintenance and so does the landscaping around it. It is unclear if any efforts were made by the owners to make the property more palatable to potential buyers or renters.*

- Alternatives to demolishing the home are not viable options and are cost-prohibitive. Additionally, the home is located in the middle of two underlying lots, making development around the existing structure challenging.

*The residence is indeed located at the center of two underlying lots. If the house were to remain, the applicant (or future owner) could still explore architecturally compatible additions to the home. Additionally, the property could also accommodate detached Accessory Dwelling Units (ADU) on other portions of the lot (this was discussed as an alternative at the public hearing). The property could, ultimately, have three dwelling units even with the residence remaining. As discussed at the hearing, a creative developer could explore shifting the house location and developing the land behind it. The property at 124 S. Guadalupe Avenue was referenced by the Preservation Commission, where the land behind that designated structure was further developed.*

*To reiterate, the owner referenced financial hardship anecdotally at the hearing, but did not provide specific data regarding the economics of the property or how other options/alternatives for developing the property are cost-prohibitive. To clarify, the application to the Preservation Commission was for removal of the property from the Potential Historic Resources list; it was not to address economic hardship and the required materials for the latter were not submitted.*

**SUMMARY AND PROCESS FOR APPEAL:** This report and the attachments have documented the appeal filed regarding the Preservation Commission denial (4-1) of the Certificate of Appropriateness requesting to remove the property at 2501 Curtis Avenue from the list of Potential Historic Resources for the intent to demolish the existing residence.

The original documents considered by the Preservation Commission, the adopted Preservation Commission resolution, and the public hearing minutes from the Preservation Commission at their July 6, 2022 meeting are available as part of this agenda item. The appeal documents are also included under this agenda item.

The original application to the Preservation Commission was for removal of a property from the Potential Historic Resource list. Upon acceptance of a completed application, a public hearing is scheduled before the Preservation Commission to study the request. Following the public hearing, the Commission is to decide to approve, in whole or in part, or disapprove/deny the request. The decision was done by resolution to deny the request to remove the property from the Potential Historic Resource list. The findings to deny were as follows:

1. The property is very distinctive and one-of-a-kind. The characteristics represent a certain method of construction.
2. The site is one of the first houses built in North Redondo Beach.
3. The owner that built the property was featured in the Los Angeles Times at least twice.
4. While modifications were made to the structure, the shape and form of the building remains intact.

The applicant appealed that decision to the City Council.

The notice of this public hearing was issued per RBMC requirements for City Council to consider an appeal of the decision of the Preservation Commission.

If the City Council agrees with the decision of the Preservation Commission, the Resolution to deny the appeal and uphold the decision of the Preservation Commission would be considered. Alternatively, if the City Council disagrees with the decision of the Preservation Commission, the Resolution to approve the appeal and overturn the decision of the Preservation Commission would be considered.

The decision of the City Council on all applications related to the Historic Resources Preservation regulations shall be final and conclusive.

The public hearing is to be structured in the following order, subject to the Rules of Conduct for City Council meetings:

1. Announcement and motion to open public hearing;
2. Motion to receive and file affidavit of publication, case file, and written correspondence;
3. Staff presentation;
4. Public testimony and presentation of evidence;
  - a. Proponent maximum of 1 hour;
  - b. Appellant maximum of 1 hour
  - c. Public comment 3 minutes each;
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5. City Council questions;
6. Motion to close public hearing;
7. City Council discussion and debate;
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#### **COORDINATION**

The preparation of this administrative report and draft resolutions has been coordinated with the City Attorney's Office.

#### **FISCAL IMPACT**

Processing of development applications, including hearings before the Historic Preservation Commission and City Council are part of the Community Development Department's annual work program. Appeal fees have been collected for this matter as outlined in the Community Development Department Master Fee Schedule.

#### **APPROVED BY:**

*Mike Witzansky, City Manager*

#### **ATTACHMENTS**

- Reso - Draft Denying Appeal
- Reso - Draft Granting Appeal
- Appeal Documents
- Preservation Commission Resolution, Adopted July 6, 2022
- Preservation Commission Public Hearing Documents, July 6, 2022 - link:  
<https://redondo.legistar.com/LegislationDetail.aspx?ID=5713444&GUID=A83A3B39-FCAC-4386-92C5->  
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- Preservation Commission Staff Presentation, July 6, 2022
- Historic Assessment by Staff, October 1, 2022

- Historic Resources Evaluation by GPA, February 1, 2022
- Preservation Commission Public Comments, July 6, 2022
- Proof Legal Ad 2501 Curtis Appeal CC 100422, September 22, 2022