



*CITY OF LONG BEACH*

*LONG BEACH PLANNING COMMISSION*

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*APRIL 18, 2013*

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*APPEALS HEARING*

*CULTURAL HERITAGE COMMISSION'S*

*APPROVAL OF*

*SAFRAN HOUSING PROJECT*

*CERTIFICATE OF APPROPRIATENESS*

*\*\*\*\*\**

*GLEND A GABEL*

*APPELLANT*

## INTRODUCTION

The Cultural Heritage Commission's approval of the Certificate of Appropriateness in the Safran Housing Project must not be upheld for the following reasons:

- A stable residential neighborhood should not be required to sacrifice a well-maintained, functioning home, a Bluff Heights Historic District contributing structure, to provide parking for a profit-making venture.
- Removal of the house, by relocation or demolition, is not what was intended when the people of Long Beach voluntarily developed its historic preservation laws.
- Approval is based on inadequate public input.
- Failure to apply applicable laws.

## THE NEIGHBORHOOD

The 300 block of Obispo Ave., between Third St. and Colorado Ave., is like many other Long Beach residential neighborhoods. It is middle-class; a mix of single-family residences and small apartment buildings. Many of the homes were built in the early 1920's, as was the vacant Immanuel Church building and the home at 304 Obispo Ave.

It is not a marginal, blighted, or deteriorating area where one might see a parking lot. The properties here are not dilapidated or neglected. The homes and buildings are well maintained and neatly landscaped. Recently, one property owner re-roofed his front house and the combination rear garage/apartment. Another has been working on 2 houses on a lot, upgrading and painting. There is a block wall up the street that, much of the year, is a blaze of pink geraniums. Here, lawns are mowed; litter is removed; graffiti is seldom seen; flowers bloom. In addition to living here, it is a nice neighborhood for walking and visiting, as many do, enjoying the street scene.

The block has its share of "vintage plus" homes. Though modified, the writer's bungalow/cottage is 93 years old. There are two small and very well-maintained Spanish style apartment buildings on the street. If one looks carefully, one can see colorful, decorative tiles hiding under the steps at one of them.

Bungalows on this short block add to its ambience with their unique architectural character, all of which contributed to the inventory of historic structures in the Bluff Heights Historic District. The iconic church building serves as the gateway to the block. Our block is the home of the Alford House which is on the Long Beach Register of Historic Buildings. Built in 1920, beside the tall pillars marking Winnipeg Place, it adds charm and history to the street scape.

Attached hereto are pictures of some of the structures that add character to our street and to the historic district.

In addition to the visual delights of a neighborhood walk, there are the pleasing sounds of children from the school playground and as they go to and from school. There are the muted sounds of conversation mixed with the occasional canine confrontation. Add to that birdsong and the chatter of the wild, urban parrots.

*Our street is not idyllic. We hear loud, va-rooming motorcycles and the driver whose radio's low, booming vibrations wake one in the middle of the night. The sounds of gas-driven power equipment permeate our ears here as elsewhere. We worry when we hear police and/or fire sirens. The volume and noise of street traffic is always with us. As we are in a Parking Impact District, motorists cruise, looking for a street parking space as near to their home as they can find.*

*If there is a parking lot, minimal guidelines and conditions for it were set forth in the (Draft) Certificate of Appropriateness approved by the Cultural Heritage Commission. Provisions were noted for its block walls and lighting and gate and landscaping. Nothing was said about the potential economic impact of its presence on the neighborhood. The City has the duty to assess the economic impact of this project on the property owners and residents of this neighborhood as well as on the owner of the church building.*

*Nothing stays the same. Change is inevitable. But the ill-conceived change planned for this block, a parking lot, is not what property owners and residents bargained for when they chose to live here. They agreed to pay the required rental rates, mortgages, property taxes, property maintenance, etc., that accompany living in this historic district. The residents on this block and surrounding neighborhood should not have to deal with the traffic and noise of the proposed parking lot, let alone the aesthetics of having it here, no matter how well-landscaped it may be.*

#### THE HOUSE

*City Staff advises that the project will comply with our zoning codes with the approval of the many, requested Standard Variances. As the project now stands, Applicant is relying on City helps, variances, entitlements, etc., including changes in zoning as follows:*

- Density - from R-2-2 to whatever the new zoning density is for a minimum of 25 new occupants;*
- Residential/Commercial - from R-2-2 to whatever the zoning is for a parking lot.*

*If the lot were to be next to residential/commercial or residential/retail or some other mixed neighborhood usage, it would be easier, or harder, to argue the need to remove the house and install a parking lot. Such is not the case here. This proposed lot would be shoe-horned into a strictly residential area. It would be surrounded by residential uses only, including the adapted re-use of the church building.*

*The Secretary of the Interior's Standards require identification and exploration of alternatives to projects that have a negative impact on a neighborhood. One cannot have a greater negative impact than removing a home from its neighborhood and installing a parking lot in its place. The EIR herein acknowledged that the removal of the house would be a "significant and unavoidable adverse impact;" a "slight reduction to design integrity of the historic district." Of course, removing a perfectly fine house, functioning for its intended purpose, housing, is a significant, adverse impact; a slight reduction in design integrity.*

Bluff Heights Historic District leaders were active in helping a pre-District designation service station, bordering a residential area, to be more acceptable to District standards and to be a good neighbor, aesthetically and as to noise abatement. Now they advocate the introduction of a parking lot into the District! To writer's knowledge, none of those leaders live on this block. Does the addition of a parking lot on this street improve the design integrity of this Historic District? Of course not. Application of Historic District rules is truly a double-edged sword.

As to the parking lot, it appears to have been a "done deal" from Day One. It is past the time to put on the brakes and require a more thorough review of the entire project. Was Applicant ever required to extensively explore and document alternatives to the parking solution other than to take out the house? Were CEQA required public notice and scoping meeting regulations followed? Creative, willing minds, when they want to and have to, can find more viable alternatives than the "either/or, take-it-leave-it" option championed thus far.

While the EIR discussed the proposed changes to the church and found they were "consistent or not incompatible with the architectural period of the building"; there is no such discussion of changes proposed for the house. Why? Because the house won't be there; it will have been removed. Having not been preserved in its original "site" or "setting," it will be "history" in the most complete and final sense of the word.

Though not of iconic stature as the church building, the house was, once upon a time, the church parsonage. They were contributing structures for the Historic District inventory. The church is bigger and needs to be used and, if used as planned, will fill societal needs - provide housing and jobs and result in additional tax revenue. Whereas the house is "just a house"; it seems to be of lesser historical importance in this discussion. It seems some things aren't as important as others. Shall we tell that to the owners (taxpayers) of the many California-style bungalows and other homes throughout Long Beach?

The Secretary of Interior's Standards hold that we must look at a historic structure as it is and how it holds its place in its "setting," our neighborhood. This house was a contributing structure when this historic district was formed. It is a definite plus and contributing member of its contemporary community

If there is a parking lot, minimal guidelines and conditions for it were set forth in the approved (Draft) Certificate of Appropriateness. Provisions were noted for its block walls and lighting and gate and landscaping. Nothing was said about the potential economic impact of its presence on the neighborhood. The City has a duty, a responsibility to address those concerns.

If eliminated from the street, the house will be memorialized in prose and pictures, somewhere in a file. It is the writer's understanding that if this house is removed, either by relocation or demolition, it will be the first home in a Long Beach historic district to be removed to make way for a parking lot. If so, this act will set a dangerous precedent for homes in Long Beach residential areas, whether in a historic district or not. Developers will continue to come forth with building plans, some noble and some not so noble.

## PUBLIC PARTICIPATION

The Cultural Heritage Commission based its approval of the Certificate of Appropriateness on inadequate public input.

The Commission held its Study Session herein on October 8, 2012, 6 weeks before most impacted members of the public learned of the project. Rules do not require that public notice of such study sessions be given. That Study Session was held during the 30-day public comment period when the Notice of Preparation of the EIR was circulating. Again, most impacted people did not receive that Notice of Preparation. Why was the Cultural Heritage Commission's Study Session, in which Applicant participated, scheduled so early in the process, knowing that the Commission would conduct its public hearing after the Planning Commission's first hearing on the matter? The Planning Commission's first public, noticed hearing was held just before Christmas, approximately 2 1/2 months after the CHC Study Session.

At the Cultural Heritage Commission meeting on March 22, 2013, approval of the Safran Housing Project Certificate of Appropriateness was on the agenda. Prior to the time when the hearing was opened to public comment, applicant had at least 5, separate, unlimited time opportunities to present its project and comments and to respond to Commissioner questions.

After the Hearing was opened for general, public comment, approximately 15 members of the public spoke, all limited to 3 minutes each.

After the public segment of the hearing was closed, Applicant had another 13 unlimited time opportunities to interact with the Commissioners and the City Staff.

The public, by law, may submit, 10 days before a hearing, written materials they wish to be placed in the Commissioner's pre-hearing packets. The public may also deliver written materials to the Clerk the day of the hearing, before it begins. All such writings are meant to be part of the public record.

The time allocated for oral, public comment at the Commission's hearing on the Safran Housing Project Certificate of Appropriateness, was inadequate. Applicant had unlimited oral time access at the March hearing and previous hearings before the Planning Commission, the City Council, and the CHC Study Session, as evidenced in the hearing/meeting videos. Public speakers at the CHC hearing were limited to 3 min.

Appellant, who opposes the house removal/parking lot part of the proposed project, gained additional oral time access to the decision-makers by filing this appeal and paying the required fee. Unlike Applicant, Appellant is permitted only one speaker at her appeals hearing. Applicant may have an unlimited number of speakers at the appeals hearing and other hearings/meetings.

The public has no way of knowing whether Commission/Council members have considered their written materials before a meeting or hearing that will result in a decision, some of which are final, unappealable. Hence, the great importance of the limited public comment period. Speakers are limited to 3 minutes to present their position and persuade the decision-makers, compared to the unlimited oral time access an Applicant has.

The procedure outlined here casts a cloud of impropriety, disadvantage, on the process, intended or not. Appellant acknowledges that Applicant has invested significantly more money and time in this effort than Appellant has. That is Applicant's business; its source of livelihood. Appellant, as would be true of many residents confronted with similar situations, is devoting time and some funds to

*bring about more public discussion of a plan that, if successful, will affect the quality of her life and that of her neighborhood.*

*There must be a more equitable way for the City Council and various City Commissions to receive valid, relevant, oral public comment, especially from those who oppose a proposed action, and yet not have to endure endless speakers going off on unrelated tangents.*

#### *THE LAW*

*The Cultural Heritage Commission failed to use applicable law when it approved the subject Certificate of Appropriateness*

*Alternatives to the scheduled removal of the house for project parking were not adequately explored. There is no public record documentation that this writer has found to support Applicant's exploration of such alternatives. To buy the house for a parking lot was probably the quickest and easiest solution. Why go further? Because common sense, unexplored neighborhood sentiment, and the laws require more study.*

*Removal of this home is not consistent with the stated goals of the governing laws; the 2010 Historic Preservation Element of the General Plan, the City Ordinance establishing the Bluff Heights Historic District, the Secretary of the Interior's Standards, City Codes, etc. Attached hereto as a brief discussion of some of the applicable laws that control the Safran proposal. These are some of the laws and regulations that the People expect, through their elected and appointed representatives and their supporting staffs, to be implemented to maintain and improve our neighborhoods, not decimate and devalue them.*

*The removal of the home at 304 Obispo Ave. and forcing a parking lot on this residential neighborhood must not be approved for the reasons set forth. Appellant requests that the Planning Commission decline to accept the Cultural Heritage Commission's approval of the Certificate of Appropriateness and de-certify it, instructing Applicant to work with City Staff to address the issues set forth herein and others brought forth by the public.*

*Respectfully submitted,*

*Glenda Gabel*

## BLUFF HEIGHTS HISTORIC LANDMARK DISTRICT

In 2004, the Long Beach City Council, by Ordinance No. C-7931, designated the Bluff Heights Historic Landmark District. (Copy attached.) Subject properties are located therein.

The rationale for such historic district designation included:

- It possesses a significant character, interest and value attributable to the development, heritage and cultural characteristics of the city,....
- It portrays the environment of an era of history characterized by a distinctive architectural style.... The predominant style being California bungalow.
- It is part of or related to a distinctive area and should be developed or preserved according to a specific historical, cultural or architectural motif.
- With a large number of the original homes still intact, it retains the scale, character and streetscape ambiance of an old Long Beach neighborhood.

The ordinance incorporated the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines... to be used as the standards for the Cultural Heritage Commission in making decisions regarding Certificates of Appropriateness. Those Standards apply to the demolition of the historic structure as developer seeks herein.

## HISTORIC PRESERVATION ELEMENT, 2030 GENERAL PLAN

Another step forward in the development of Long Beach's historic preservation efforts was the 2010 adoption of the Historic Preservation Element of the General Plan. The General Plan is required by state law; the historic preservation element is not. Obviously such efforts have been deemed important to the City and its residents. The Element resulted from the extended and cooperative efforts of the City and many others. One of the key topics identified in the planning process was how to effectively protect historical resources from demolition.

In its summary of preservation issues identified by the community in the search for the Element, the issue listed first and foremost was inadequate enforcement of existing regulations that caused a loss of the City's "historic fabric."

Adding value to existing neighborhoods is a stated goal of the Element. "...restoring neighborhoods is the center of community life, the most important step that Long Beach can take to build a positive future." The Element indicates that one of the City's greatest strengths is its rich collection of neighborhoods.

This goal applies to retaining the fabric, the motif of an existing neighborhood as well as re-building a declining neighborhood.

The Element and its vision provides the means to accomplish historic preservation goals along with policies and implementation measures. Goal 2 and its Policies and Implementation Measures is directly on target as to the questions raised in this project as is Goal 5. Copies of them are attached.

#### SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES WITH GUIDELINES...

**SITE** is the specific location of the building or buildings being preserved. **SETTING** is the larger area or environment in which a historic property is located, including an urban area. The relationship of buildings to each other, setbacks, fence patterns, views, driveways, walkways and street trees together create the character of a neighborhood.

The Guidelines divide activities related to historical preservation as to Recommended and Not Recommended. Some work may represent greater degrees of intervention and should be considered only after other possible solutions were addressed.

For purposes of brevity, this writer has combined information listed under rehabilitation, preservation, restoration, etc. in a simple, condensed manner, as they were deemed to apply to the subject housing project and proposed demolition of the home at 304 Obispo for a parking lot.

#### RECOMMENDED

- Goal of preservation is to retain historic form of buildings and their sites as they have evolved.
- Retention of historic relationship between buildings and the landscape.
- Design new site parking when required by the new use so that it is unobtrusive and assures preservation of historic relationships; minimizing effect on historic character of the setting.
- "Shared" parking should also be planned so that several businesses can utilize one parking area as opposed to introducing random, multiple lots.



## NOT RECOMMENDED

- Removing or relocating buildings or landscape features, thus destroying the historic relationship between buildings and their landscape.
- Altering relationships within the setting by inappropriately locating new streets or parking.
- Introducing new construction into historic districts that is visually incompatible or that destroys historic relationship within the setting.

## A CITIZEN'S GUIDE TO PROTECTING HISTORIC PLACES LOCAL PRESERVATION ORDINANCES SMART GROWTH TOOLS FOR MAIN STREET

Issued by the National Trust for Historic Preservation in 2002, this publication provides many interesting ideas applicable to the thorny problems encountered in this project.

- Big cities and small towns alike have found local preservation ordinances to be effective tools in protecting historical places from undesirable fates such as demolition for surface parking lots.
- While restrictions in preservation ordinances are imposed primarily to protect a community's heritage, they often protect homes and businesses against the devaluing effects of unsightly or inappropriate development on nearby properties.
- Nothing destroys a historic area faster than subservience to the automobile.
- The value of a historic structure is greatly diminished if it is surrounded by ugly, incompatible development. The structure's setting should be protected by such development if at all possible.
- To protect historical structures from being demolished for surface parking lots, municipalities have developed mechanisms to avoid or limit such projects.



Address Alamo Line / Obispo Avenue

Address is approximate



House Scheduled for Demolition - 304 Obispo Ave.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



305 Obispo Ave



320 Obispo Ave.



To see all the details that are visible on the screen, use the "Print" link next to the map.



321 Obispo Ave.  
Apartment Bldg.



Address 333 Obispo Avenue

Address is approximate



© 2013 Google

Alford House  
333 Obispo Ave.



346 Obispo Ave

