



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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April 10, 2017

CHAIR AND CULTURAL HERITAGE COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Uphold the staff decision to deny a staff-level Certificate of Appropriateness. The decision involves replacement of thirteen non-historic windows and replacing with new fiberglass and vinyl windows on an existing single-family residence located at 3637 Gaviota Avenue. The site is a contributing property within the California Heights Historic Landmark District. (District 7)

APPLICANT: Adam Stephenson
3637 Gaviota Avenue
Long Beach, CA 90807
(Application No. HP17-084)

THE REQUEST

The applicant requests an appeal of a staff-level Certificate of Appropriateness to allow replacement of thirteen non-historic windows with fiberglass and vinyl windows. The matter before the Cultural Heritage Commission is an appeal (Exhibit A – Applicant Appeal) of the decision by staff to deny the requested Certificate of Appropriateness (HP16-563).

BACKGROUND

The subject property, is located on Gaviota Avenue between 36th Street and 37th Street (Exhibit B – Location Map). The site is located within the R-1-N zone (Single Family Residential District with Normal Lots) and is improved with a 1,612 square-foot, one-story single-family residence. The building was constructed in 1937 in a Minimal Traditional architectural style.

On November 14, 2016, the applicant filed a staff-level Certificate of Appropriateness to replace 13 non-historic windows. The request involves replacing six non-original windows along the front of the building with new white fiberglass windows and replacing seven non-original windows along the two sides of the building with new white vinyl windows (Exhibit C – Plans & Photographs). After a mutual attempt by staff and the applicant to find acceptable materials or alternate design, the application was denied by

staff on the basis that the proposed fiberglass and vinyl windows were not a compatible material for a contributing building in a historic district and do not meet the Secretary of the Interior's Standards.

The non-original windows, that are the subject of this appeal, are not functioning operable windows. Instead, the original windows have been replaced with individual single plates of glass over the entire window opening. Because it is a single plate of glass there is no mechanism to have a functioning operable window (Exhibit C - Plans and Photographs) without replacement. There are no building permits records indicating when the original windows were replaced. The window openings and frames generally appear original and intact.

ANALYSIS

Window replacement cases in historic districts are one of the most frequent issues that the Development Services department encounters. Generally, the circumstances surrounding these cases involve unpermitted installation and violation notices issued by the City's Code Enforcement Bureau. A more unique, but common code enforcement situation that arises involves window changeouts on buildings located within historic districts that were built outside of the period of significance for a historic district. A typical example, involves an apartment building constructed in the 1960s or 1970s with aluminum windows, but located within the historic district boundaries. In these cases, staff requires that replacement windows be from the same period of construction of the building.

Where the original window no longer exists, Development Services staff uses different methods to conclude the types of windows that were original to a building including the use of old photos, surveys, original architectural plans, window opening sizes, architectural style and the period of construction of subject building.

In historic preservation, prominent building features that help to illustrate an architectural style are called character-defining features. Windows, both modest and ornate fall into this category. Windows are particularly important features because they occupy a substantial part of wall surfaces. In historic districts, wood windows are important as they help to visually define the appearance and cohesion of properties that constitute a historic district.

The California Heights Historic District Ordinance C-7702 incorporates by reference the Secretary of the Interior's Standards for Rehabilitation. Thus, any project in the California Heights Historic District must meet both the Secretary of the Interior's Standards and Section 1(II) the "General Guidelines and Standards for Any Changes."

Standard # 6 of the Secretary of the Interior's Standards for Rehabilitation is the most applicable in this case and reads as follows:

"Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in

design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence."

Staff's decision to deny the applicant's Certificate of Appropriateness is based on Standard #6. The proposed fiberglass and vinyl windows do not match the texture and visual qualities of wood windows as they have flat surfaces, joints and proportions that do not replicate the visual qualities of wood windows. This same standard also provides the guidance to match the same materials where possible. Staff's position is that wood windows are readily available and not impossible to obtain as many window manufacturers continue to manufacture new wood windows. There is clear evidence that the original windows would have been wood as one original wood window remains: a single-hung wood window and wood windows would have been used in 1937 when this building was constructed.

As discussed in this report, the request must meet both the Secretary of the Interior's Standards and the California Heights Historic District ordinance. The applicant's appeal letter cites, the California Heights Historic District ordinance Section II (A)(1)(e.) which states that "substitute materials which maintain the original design shall be permitted." However, staff does not find the basis for permitting substitute materials in this case since wood windows are available and would be the architecturally appropriate materials that would be consistent with the period of construction for the building.

The Secretary of the Interior's Standards does allow for substitute materials for buildings. Some examples where substitute materials may be considered include circumstances where the materials no longer exist, or where compliance with fire or building codes make the use of historic building materials infeasible. Substitute materials can also be considered where historic materials are no longer feasible to use structurally in construction of buildings.

Staff also obtained a third-party professional opinion to evaluate the application of the Secretary of the Interior's Standards involving substitute materials. ESA consultants prepared a memo evaluating the request and its compliance with the Standards and concludes that requiring wood windows is the correct application of the standards. In addition, memo provides that several other cities that apply the Secretary of the Interior's Standards for Contributing Structures in the same way as staff has in this case.

The standard of review for a contributing structure is whether or not the proposed improvements would complement or degrade the overall cohesion and aesthetic of the home as well as the district as a whole. In addition to the approval of a Certificate of Appropriateness, the California Heights General Guidelines and Standards require that proposed improvements comply with the Secretary of the Interior's Standards and Guidelines for Rehabilitation of Historic Structures (Guidelines).

The role of the commission in hearing an appeal is to conduct a de novo review. In this case, the Cultural Heritage Ordinance requires that no Certificate of Appropriateness be issued that is not in compliance with the Guidelines. The proposed project involves the alteration of original building features in conflict with Standard #2 of the Guidelines.

RECOMMENDATION

Staff has analyzed the proposed project and has determined that the project does not meet the requirements set forth in Title 21 of the City's Zoning Code, Section 2.63 (Cultural Heritage Commission) of the Long Beach Municipal Code, the Secretary of the Interior's Standards and Guidelines for Rehabilitation, and the California Heights Historic District Guidelines. Staff recommends upholding the staff decision to deny the appeal of the Certificate of Appropriateness. The findings for denial are attached as (Exhibit D – Findings).

PUBLIC HEARING NOTICE

Public notices were distributed on March 24, 2017 and a notice was mailed to the California Heights Neighborhood Association.

ENVIRONMENTAL REVIEW

In accordance with the 15301(e) Guidelines for Implementation of the California Environmental Quality Act (CEQA), environmental review is not required for construction of small additions to single family residences.

Respectfully submitted,



CHRISTOPHER KOONTZ, AICP
ADVANCE PLANNING OFFICER



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER

LT:CK:ap

Attachments: Exhibit A – Applicant Appeal of HP16-563
Exhibit B – Location Map
Exhibit C – Plans & Photographs
Exhibit D – Findings