



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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March 11, 2019

CHAIR AND CULTURAL HERITAGE COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Deny the appeal and uphold staff denial of a Certificate of Appropriateness to legalize the replacement of twelve (12) vinyl windows located on an existing single-family residence, addressed at 800 Gladys Avenue on a contributing structure in the Rose Park Historic District. (District 2)

APPLICANT: Aaron and Kilty Devine
P.O. Box 8495
South Lake Tahoe, CA 96158
(Application No. HP18-494)

THE REQUEST

The applicant is requesting approval of a Certificate of Appropriateness to legalize the twelve (12) unpermitted, vinyl windows located on an existing single-family residence. The size and location of the window openings will not change from the existing condition. 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.

EXISTING CONDITIONS

The subject site, 800 Gladys Avenue, is located at the northeast corner of Gladys Avenue and 8th Street (Exhibit B – Location Map). The site is located within the R-2-N zone (Two-Family Residential District with Normal Lots) and is improved with a two-story, single-family residence with an attached garage. The building was constructed in 1950. The building maintains the massing, orientation, and, design of its original construction and is a contributing structure to the Rose Park Historic Landmark District (Ordinance C-7497 [adopted 1997]).

On May 22, 2018, the property owner was issued a Code Enforcement citation (Number CEAC250802) for replacing twelve of the original metal casement windows located on the two street facing elevations without the approval of a Certificate of Appropriateness or the issuance of a building permit and on May 31, 2019 the property owner paid the

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\$310.00 citation fee. On December 18, 2018, the applicant submitted a Certificate of Appropriateness application requesting the approval (retroactively) for the installation of the twelve vinyl windows. On January 2, 2019, staff denied the application (Exhibit C – Staff Denial). On January 16, 2019, the applicant filed an appeal of staff's decision, citing that the windows are installed already.

Several modifications were completed over time to the residence, however no building permits (or a Certificate of Appropriateness) were found to document City approvals for these modifications. During the process of the adopting of the Rose Park Historic District in 1997, a survey (or property inventory) was conducted on all of the properties within the boundary of the district to establish a list of contributing and non-contributing properties. Staff utilized the photo of the residence from the 1997 survey and Google Maps Street View images to determine a timeline of change to the residence.

The survey photo documented the two-story residence which featured a single front door that featured a large, decorative molding surround which was painted white, and casement style, metal windows. Google Map Street View images documented the modifications listed below (Exhibit D –Photos).

- July 2008 - Shutters were installed over the windows on the 8th Street frontage and new awnings were installed over the windows on the Gladys Avenue frontage.
- September 2014 – The decorative molding surround was removed from around the front door.
- February 2015 – New awnings were installed on the Gladys frontage and a new awning was installed over the new front door. New paint to the building and shutters and new fencing was installed.

ANALYSIS

The original structure was constructed in 1950, which is within the period of significance (1905-1953) for the district. The property is considered a contributing structure in the district. The approval of a Certificate of Appropriateness requires a determination that the proposed improvements comply with the Secretary of the Interior's Standards and Guidelines for Rehabilitation of Historic Structures (Guidelines), the Rose Park Historic District Ordinance (Ord. C-7497) and the adopted Rose Park Historic District Design Guidelines.

The original windows for the structure were metal casement windows, as evidenced by remaining original windows and photos of the residence prior to the window replacement. Any replacement of original (metal casement) windows, should have been with like materials, in this case, metal (or aluminum) windows, as specified in the Secretary of the Interior's Standards. Replacement with substitute materials is an aesthetic and architectural alteration that is not in conformance with the Secretary of the Interior's Standards for Rehabilitation, nor consistent with the Rose Park Design Guidelines. The Rose Park Design Guidelines state "historic windows should always be regularly maintained and protected and repaired rather than replaced. In the event that

an original window on any elevation is demonstrated to be damaged beyond repair and needs to be replaced, it should be replaced in kind. The installation of new incompatible windows such as vinyl is not permitted."

The subject property is a contributing structure within the Rose Park Historic District. Permitting the legalization of the (unpermitted) vinyl windows, would significantly affect the historical, cultural, architectural and aesthetic features of the property as well as historic district, as a whole. Vinyl windows are not compatible with the year of construction of the building or period of significance for the Rose Park Historic District.

Standard No. 2 states, "The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided." Standard No. 6 of the Guidelines states that, "deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. The proposed vinyl windows are not consistent with the Secretary of the Interior's Standards for Rehabilitation. In order to make the finding to support this application, the project must meet both the standards of the Rose Park Historic District Ordinance and the Secretary of the Interior's Standards. In this case, staff finds this request does not meet Standard #6 of Secretary of the Interior's Standards. The Standards instruct that when replacement is necessary the new feature, "shall match the old in design, color, texture, and other visual qualities and where possible, materials." The proposed windows do not match the design, texture and visual qualities of the original metal windows. The installation of new incompatible windows such as vinyl is not permitted."

CONSISTENCY WITH PRECEDENT CASES

In the past several years, the Cultural Heritage Commission has heard a number of similar appeals on staff denial of Certificates of Appropriateness applications proposing to use non-original materials as replacement windows. Excerpts of these project descriptions are listed below. Precedent Staff Reports for these cases may be found in Exhibits E-1 to F-5.

E-1 September 2015 – 3732 Cerritos Avenue (California Heights, built 1930, HP15-300)

Recommendation for Denial Approved: A request to replace four existing wood windows with wood and polymer composite (Fibrex, Renewal by Andersen) windows at an existing one-story single-family residence located at 3732 Cerritos Avenue. The property is a contributing structure within the California Height Historic Landmark District. (District 7)

E-2 June 2016 – 305 Obispo Avenue (Bluff Heights, built 1920, HP16-129)

Recommendation for Denial Approved: A request to replace five aluminum windows with vinyl windows and to enlarge two of the five window openings at an existing one-story, single-family residence located at 305 Obispo Avenue. The

property is a contributing structure located within the Bluff Heights Historic District. (District 2)

E-3 April 2017 – 3637 Gaviota Avenue (California Heights, built 1938, HP16-563) (Legal verdict in City's favor)

Recommendation for Denial Approved: A request to replace 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)

E-4 January 2018 – 3574 Walnut Avenue (California Heights, built 1939, HP17-583)

Recommendation for Denial Approved: A request to replace 13 aluminum windows with wood-composite (Fibrex, Renewal by Andersen) window at 3574 Walnut Avenue on a non-contributing structure in the California Heights Historic District. (District 7)

E-5 September 2018 - 2302 East 2nd Street (Bluff Park, built 1964, HP18-371)

Recommendation for Denial Approved: A request to allow the replacement of fourteen (14) unpermitted vinyl windows with new vinyl windows on a non-contributing structure in the Bluff Park Historic District. (District 3)

CONCLUSION

Based on all the findings above, staff determined that the legalization of twelve vinyl windows does not meet Standards of the Guidelines. The Guidelines prioritize maintenance to extend the window life, followed by repair of existing window components, followed by replacement with original materials. Replacement of windows with new materials is deemed appropriate only when the original material is not available, or the existing permitted window is not the material from the property's period of significance. Metal windows are still widely available and would be the appropriate window material.

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 Cultural Heritage Commission is the appeal body and all decisions rendered are final. The proposed project involves the addition of building materials to the property in conflict with Guideline standards.

RECOMMENDATION

Staff has analyzed the proposed project and has determined that the proposed vinyl windows do not meet the requirements set forth in Section 2.63.080 (Cultural Heritage Commission) of the Long Beach Municipal Code, the Secretary of the Interior's Standards and Guidelines for Rehabilitation, and the Rose Park Historic District Ordinance (Ord. C-7497). Staff recommends denial of the appeal and upholding of the

staff denial of the requested Certificate of Appropriateness. The findings for denial are attached as (Exhibit F – Findings).

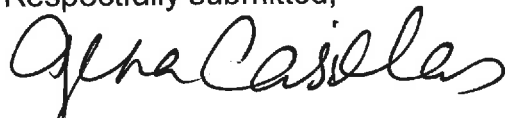
ENVIRONMENTAL REVIEW

In accordance with Section 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.

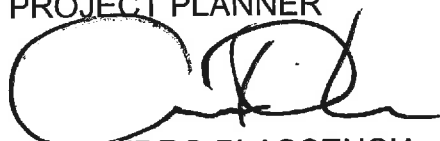
PUBLIC HEARING NOTICE

Public notices were distributed on February 22, 2019 and a notice was mailed to the Rose Park Neighborhood Association. As of this date, no written correspondence has been received in response to this project.

Respectfully submitted,



GINA CASILLAS
PROJECT PLANNER



ALEJANDRO PLASCENCIA
PRESERVATION PLANNER



CHRISTOPHER KOONTZ, AICP
PLANNING BUREAU MANAGER

CK:AP:gc

Attachments: Exhibit A – Applicant Appeal
 Exhibit B – Location Map
 Exhibit C – Staff Denial
 Exhibit D – Site Photos
 Exhibit E – Precedent Staff Reports
 Exhibit F – Findings

