



Legislation Details (With Text)

File #: 20-1126 **Version:** 1 **Name:** DS - Mills Act & Landmark Designations D123678
Type: Agenda Item **Status:** Approved
File created: 10/20/2020 **In control:** City Council
On agenda: 11/17/2020 **Final action:** 11/17/2020

Title: Recommendation to request City Attorney to prepare ordinances to designate the properties located at 4204 Cedar Avenue, 244 Mira Mar Avenue, and 262 Newport Avenue as Long Beach Historic Landmarks; and

Authorize City Manager, or designee, to execute Mills Act historic property contracts with owners of 13 historic properties. (Districts 1,2,3,6,7,8)

Sponsors: Development Services

Indexes:

Code sections:

Attachments: 1. 111720-R-65sr&att.pdf, 2. 111720-R-65 PowerPoint.pdf

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Council	approve recommendation	Pass
11/17/2020	1	City Council	approve recommendation	Pass

Recommendation to request City Attorney to prepare ordinances to designate the properties located at 4204 Cedar Avenue, 244 Mira Mar Avenue, and 262 Newport Avenue as Long Beach Historic Landmarks; and

Authorize City Manager, or designee, to execute Mills Act historic property contracts with owners of 13 historic properties. (Districts 1,2,3,6,7,8)

The Mills Act was enacted by State law in 1972 and allows local governments to enter into tax abatement contracts with property owners of historic structures. Under the law, property owners agree to restore, maintain, and preserve the property in accordance with specific historic preservation standards and conditions identified in the contract. Entering into a Mills Act contract results in a property tax reassessment by the County Assessor, using the income-capitalization method, which may result in a 30 to 50 percent reduction in property tax.

This is the sixth year the City of Long Beach (City) has opened the application cycle since the program was reactivated in 2016. With each year, Development Services staff continue to evaluate the process to provide the Cultural Heritage Commission (Commission) with feedback of how previous modifications to the program have affected the program and process. The program has improved, and eligibility requirements refined, with each continuing application cycle.

Mills Act contracts are executed between the City and the property owner for an initial term of ten years, with an annual automatic ten-year renewal, unless a request for non-renewal is

made by either party. The City maintains various mechanisms to bring a property into compliance and can terminate the contract if the property owner breaches any of the contract terms.

The Department of Development Services conducts an inspection prior to approval of Mills Act contracts for each eligible property for which applications are submitted. To assure properties are properly maintained and that rehabilitation is occurring in accordance with executed Mills Act contracts, staff inspect the properties every five years.

The Mills Act application guide for the 2020 cycle was released to the public on January 31, 2020. Applications were due on March 14, 2020, but the application deadline was extended to April 10, 2020 due to the COVID-19 pandemic. A total of 22 applications were received prior to the deadline. At its meetings on August 25, 2020, the Commission recommended approval of ten Mills Act contracts (Attachment A). On September 29, 2020, the Cultural Heritage Commission made recommendations to approve three additional Mills Act contracts and three landmark designations (Attachment B).

To be eligible for the Mills Act program, properties must be located within a historic district or be designated historic landmarks. Property owners may apply jointly for both Mills Act and Historic Landmark designation during the Mills Act application period. To be designated as a historic landmark, a property must meet at least one of the four criteria for landmark designation, which are outlined in Chapter 2.63 of the Long Beach Municipal Code (LBMC). The criteria are as follows:

- Criterion A, associated with events that have made a significant contribution to the broad patterns of the City's history;
- Criterion B, associated with the lives of persons important to the City's past;
- Criterion C, embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or,
- Criterion D, has yielded, or has the potential to yield, information important in prehistory or history.

A total of three landmark designations and 13 Mills Act contracts are recommended for approval as a part of this action.

Recommended landmark designation applications include the following:

1. **244 Mira Mar Avenue (District 3)** - The structure is a Craftsman Bungalow built in 1921 by Miner Smith, an artisan builder in Long Beach. Smith's unique and artful craftsmanship can be found throughout this house. While the building form itself reflects a traditional Craftsman Bungalow shape and appearance, it is his unique finishes throughout the house that make the building significant. His signature craftsmanship is likely due to Smith's early work designing fireplace mantles and other decorative stonework. The notable detailing attributable to Miner Smith includes decorative stone tree trunks, stone flower and plant detailing used as ornamentation on the exterior of his structures, which

are stylistic elements carried from similar detailing found inside the homes. Staff supports landmark designation for this building, as the building reflects the true artisan spirit of the period.

The Commission determined that the building meets Criteria C under the City's historic preservation ordinance in LBMC Section 2.63 for landmark designation. The structure was designed and built by Miner Smith who was a local artisan builder in Long Beach. This building reflects the distinctive craftsmanship and artistic detailing unique to Smith. The building is only recommended for landmark designation, and not for a Mills Act contract. If approved for landmark designation, it is recommended that the building be recognized as "Miner Smith Bungalow Mansion (1921)."

- 2. 262 Newport Avenue (District 3)** - This property consists of Craftsman Bungalow style single-family residence built in 1920. This structure is also designed and built by Miner Smith. This building is uniquely important as his earliest known commission to build a house in Long Beach. This commission initiated the start of several "Bungalow Mansion" buildings he constructed mostly in the Belmont Heights neighborhood. His signature architectural features are visible in this building including planter niches in the porch piers, stone tree trunk rails at the porch and a wainscot stone detailing. While Miner Smith went on to build homes in other areas in Southern California, these buildings are unique to Long Beach and built during a period of growth and expansion in the City.

The Commission determined that the building meets Criteria C under the City's historic preservation ordinance in LBMC Section 2.63 for landmark designation. The structure was designed and built by Miner Smith who was a local artisan builder in Long beach. This building reflects the distinctive craftsmanship and artistic detailing unique to Smith. This building requires landmark designation to be eligible for landmark designation since it is not located in a designated historic district. If approved for landmark designation, it is recommended that the building be recognized as the "Miner Smith Bungalow Mansion (1920)."

- 3. 4204 Cedar Avenue (District 8)** - This building was designed by architect Ed Killingsworth for his architectural firm partner Jules Brady under the firm Killingsworth, Brady and Smith (KBS). The building was originally constructed in 1970 and is 50 years of age meeting the minimum eligibility requirement for historic structures. The structure is considered to be the final single-family residential project designed by Long Beach architect Ed Killingsworth, whose notable work includes the Case Study House #25 at 82 Rivo Alto Way, Opdahl House at 5576 Vesuvian Way, the Killingsworth, Brady Smith (KBS) office at 3827 Long Beach Boulevard, and his work at California State Long Beach as the University's master architect.

The building is a late example of the Mid-Century Modern architectural style. The building features Killingsworth's signature architectural detailing and the building proportions, and scale that define his work. Killingsworth's work is influential as he gained an exemplary reputation throughout the country. The house has a privacy wall made with opaque glass

and wood that screens an open-air courtyard. The tall front door is reminiscent of the Case Study House #25. The building has floor-to-ceiling glass front walls, high vaulted ceilings, and wood beams. The exterior also features vertical tongue and groove wood cladding and stucco finishes.

The Commission determined that the building meets Criteria C under the City's historic preservation ordinance in LBMC Section 2.63 for landmark designation. The structure was designed by master architect Ed Killingsworth and is a late example of Mid-Century Modern architectural style and has a distinctive characteristic that reflects the Modern architectural style. This building requires landmark designation to be eligible for Mills Act since it is not located in a designated historic district. If approved for landmark designation, it is recommended that the building be recognized as the "Brady House."

Recommended Mills Act applications from the 2020 application cycle include the following:

1. **1128 Magnolia Avenue (District 1)** - Constructed in 1922, this Craftsman Bungalow retains most of its character defining features, including the signature dual gable front facade and porch. The workplan proposed includes repair of dry rot and termite damaged wood siding throughout the building; painting the building in period appropriate paint colors; repair of the front porch wood columns; repair and repointing of original brick porch piers; repair of brick chimney; sealing roof penetrations; waterproofing and replacing flashing; repair of original wood window finish; and, rehabilitation of windows throughout to operable condition.
2. **401-423 Pine Avenue (District 1)** - This building is a designated landmark known as the Walker's Department Store building. The building is a former location of Walker's Department Store in downtown Long Beach. The building was designed by the architecture firm of Meyer and Holler who have notable works that include Grauman's Chinese and Egyptian Theaters in Los Angeles. In Long Beach, their work includes the Ocean Center Building, Long Beach Museum of Art, and the Fox West Coast Theater. The workplan includes inspection and repair of all windows; wood windows removed, sanded and repainted; patching and treating wood; replacement of broken glass and restoration of operability; for steel windows, removal of rust, flaking and excessive paint and replacement of broken glass; replacement of missing hardware and lubrication of all operable parts; repair of spalling on exterior walls and pilaster; repair and replacement of exterior concrete with compatible finish; inspection of all decorative exterior medallions for cracks and/or replacement of medallions by creating reproduction molds; inspection of the crenellated parapet wall at roof; general cleaning of parapet wall; repair of cracks in parapet wall; repainting of the building exterior to current color palette; rosettes will be painted a darker brown color as previously painted; inspection of basement level damage and addressing water intrusion problems from prior penetrations; cleaning and repair of the metal and neon "The Walker's" sign as needed; repainting and reinstallation of sign on metal canopy - the sign will be mounted on canopy fascia facing Pine Avenue; relocation of metal fascia from Pine Avenue canopy awning to its original location on Fourth Street canopy; recreation of missing original rosettes to be applied to metal fascia panel; and,

creation of new reproduction molds to match original and mounting per original photos. The application includes participation from 56 of the 57 total individually owned units.

3. **1728 East 3rd Street (District 2)** - This Spanish Colonial style multi-family property is a designated historic landmark known as the El Cordova, which was built in 1928. The building is a condominium with individual unit ownership and was previously granted a Mills Act contract that has expired. The contract was previously granted prior to the policy change requiring 100 percent participation from all individual unit owners. This application adds those individual units not included in the previous contract and proposes having full participation from all 20 dwelling units in the building. The workplan includes resealing the upper courtyard area to address drainage and leaks; repair of damaged areas due to water infiltration; paint and repair of all exterior building woodwork; repair of damaged wrought iron railing at balconies; inspection and repair of balconies for leaks and water infiltration; repair and/or replacement of all damaged courtyard walkways; replacement of four non-period louver windows at laundry room with new wood period appropriate casement windows; repair and/or replacement of deteriorating stairwell leading to upper floor units including damaged structural components; repair and reuse of original stair tiles; completing annual termite abatement and treatments; repair of damaged exterior stucco throughout building; and, conducting annual inspections and repairs as necessary.
4. **3013 East 6th Street (District 2)** - This single-family Cottage style residence, originally constructed in 1920, proposes a workplan that consists of replacement of front elevation vinyl windows with period appropriate wood windows; refinishing the front door; repairing a misaligned door frame; repairing and replacing damaged wood siding as needed; refinishing French doors; replacing the roof with new period appropriate composition shingle; installing new ceiling insulation; replacing knob and tube electrical; and, removing slump and leveling drain to the sewer in back of house.
5. **2333 Carroll Park South (District 2)** - Built circa 1905, this building is the oldest included in this year's application cycle. The two-story Transitional Craftsman style building features a high-pitched front facing gable and centered gable fish scale shingles at gable center, porch, and front balcony. Two cross gable roof lines at the sides of each building are adorned with a clipped gable. The building still retains its essential building form, but the various parts of the building has been altered over time including the non-period stucco cladding added to the exterior walls, and modifications to openings throughout the building. In this case, there were enough alterations, including major alterations, that staff are not recommending landmark designation at this time. The application should be reconsidered for landmark designation once substantial repair and restoration has been completed. The structure is, however, located within a historic district and is therefore eligible for a Mills Act contract.
6. **1538 East Hellman Street (District 2)** - This single-family Bungalow residence was constructed in 1921. The workplan includes the installation of new attic insulation; installation of new venting and temperature controls; removal of a Ficus tree and root system damaging the foundation; removal of a driveway that has caused site drainage

issues and foundation damage; regrading and pouring new driveway to resolve drainage impacts to foundation; installation of sump pump under house to address flooding issues; installation of new sewer line from house to street to replace clay line; resealing of roof penetrations for waterproofing; bolting foundation to house; replacing two brick pier supports; termite fumigation; repair of termite damage on exterior; and, painting the building in new period appropriate paint colors.

7. **299 Kennebec Avenue (District 2)** - This property consists of a single duplex building in a Spanish Colonial style constructed in 1930. The workplan includes replacement of the flat roof and repair of damaged tiles as needed; repair of leaks in two fireplaces; restoration and/or replacement of downspouts; repair and/or replacement of damaged patio drains as necessary; replacement of all building plumbing; replacement of the water heater; repair columns and footings; a seismic retrofit of the building foundation; repair of termite and dry rot damage in garage; replacement of knob and tube electrical system; and, trimming back and/or replacing invasive vegetation encroaching on, and extending over, the structure.
8. **742 Orange Avenue (District 2)** - This is a Craftsman Bungalow constructed in 1909. The workplan includes repair of exterior wood siding, repair of casework and soffits; treatment of areas of water or termite damage; caulking gaps as needed; fixing doors and windows, and damaged cracked panes; repair of sash window systems to make operable 10 windows; re-glazing windows (15 total); installing weather proofing; repair of backdoor frame alignment; repainting the exterior house and two detached structures with period appropriate colors; repair of breaks and cracks in stucco perimeter of the house; fixing damaged vent windows; sealing gaps to prevent water intrusion; installing a drainage system around building perimeter; installing a French drain; reroofing the main house; removing front porch enclosure; removing door at porch enclosure; removing electrical; removing current windows from porch enclosures; repairing tapered columns; installing new front window; reinforcing foundation bypass; and, reinforcing building foundation post and piers.
9. **2711 East 1st Street (District 3)** - The structure at this location is a two-story single-family residence built in 1909. The building features a side gable roof and second floor shed roof and porch. The workplan items proposed include major repairs including, but not limited to, foundation repair, sewer line replacement, electrical service improvements, termite abatement, removal of non-period metal features, and replacement of non-period windows.
10. **262 Newport Avenue (District 3)** - This property is Craftsman Bungalow style single-family residence built in 1920. The workplan includes termite and dry rot repairs on both house and garage; reroofing the garage; an upgrade in electrical service in the garage; removal of knob and tube wiring; removal of aluminum kitchen window and replacement with period appropriate wood window; brick and mortar repair and the addition of a chimney cap and spark arrestor; repair and/or replacement of damaged exterior siding and trim as needed; refurbishment of dining room French doors; removal of aluminum

sliders and replacement with wood French doors; undertaking an engineering evaluation to determine source of cracked brick at northwest porch column; repair/replacement of damaged wood siding on garage; repair of basement due to water damage and waterproofing walls; evaluating and refurbishing, as needed, all wood windows and wood screens; and, replacement of all damaged glazing. The building needs landmark designation to be eligible, as the property is not located in a historic district. Staff finds the building merits landmark designation, which will also provide protection against inappropriate alterations, consistent with LBMC Section 2.63.

11. **2111 Eucalyptus Avenue (District 6)** -This single-family structure is a Tudor style residence constructed in 1928 and located in the Wrigley Historic District. The workplan includes replacement of the building's roof; repair of damaged fascia; removal of non-original porch and replacement with a fabric awning; replacement of a main front window with a period appropriate window; and, completion of an earthquake retrofit to the building foundation.
12. **714 East 37th Street (District 7)** - This Tudor style single family house located in the California Heights Historic District was originally constructed in 1920. The workplan for this structure includes tenting and fumigation of the house and garage; replacement of south facing double hung windows and repair of wood rot in other windows; replacement of non-period sliding doors with new French doors; repair and replacement of all remaining wood damage including door frames, gates, fences, window frame; removal and patching of crumbling plaster; replacement of electrical with new panel; repair and replacement of foundation piers/post and fastening to the foundation; roof replacement of house and garage; replacement of vent pipes; repair and replacement of damaged original walkways; and, restoration of outside lighting and hardware to a period appropriate style.
13. **4204 Cedar Avenue (District 8)** - This single-family building was designed by architect Ed Killingsworth for his partner Jules Brady under the architectural firm Killingsworth, Brady and Smith (KBS). The building was originally constructed in 1970. The building requires substantial replacement of tongue and groove wood detailing; resurfacing damaged exterior stucco walls to repair cracks, addressing of exterior wall discoloration, and prior patch work; removing an inappropriate addition to the rear of the building; restoration of the building from three bedroom to the original two-bedroom configuration designed by Killingsworth. This structure is also being recommended for historic landmark designation and requires landmark designation to be eligible for a Mills Act contract since it is not located in a designated historic district. Staff finds the building merits landmark designation, which will also provide protection against inappropriate alterations, consistent with LBMC Section 2.63.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on October 29, 2020 and by Budget Management Officer Julissa Jose-Murray on October 14, 2020.

SUSTAINABILITY

Implementation of the Mills Act program helps retain and restore local historic landmarks. This work often is completed by

reusing or reclaiming existing building materials and reducing construction waste as compared to new construction.

City Council action is requested on November 17, 2020, to allow sufficient time for the City Attorney to draft contracts; the property owners and City Manager to execute the contracts; and for the contracts to be recorded prior to the December 31, 2020 deadline established by the Los Angeles County Assessor for placement on the tax rolls.

The Mills Act generally results in a 30 to 50 percent property tax reduction for a historic property. Based on an approximate combined assessed property value of \$47,651,543 for the proposed Mills Act historic properties, the City could experience a decrease of property tax revenue to the General Fund ranging from approximately \$31,540 to \$52,417 annually. For the initial 10-year term, the total decrease of property tax to the General Fund could range from approximately \$315,400 to \$524,170. The Mills Act contracts require improvements be made to the property and include a local hire and procurement provision. Implementation of the workplan items may create unknown new offsetting sales and other tax revenues. Given the number of properties, the impact on job creation is anticipated to be limited. Implementation of the Mills Act program has no staffing impact beyond the normal budgeted scope of duties and is consistent with adopted City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

[Enter Body Here]

OSCAR W. ORCI
DIRECTOR OF DEVELOPMENT SERVICES

APPROVED:

THOMAS B. MODICA
CITY MANAGER