

MINUTES APPROVED AT THE HPC MEETING ON JUNE 8, 2021

**Historic Preservation Commission Meeting
Virtual**

March 15, 2021
5:30 p.m.

MINUTES

Roll Call:

Chair McNamara called the meeting to order at 5:30 p.m.

Present: Chair Robin McNamara; Vice Chair Joann Pavlinec; Commissioners Fatema Crane, Jonathan Haeber, Caitlin Hibma, Michael Hibma, and Gretchen M. Stromberg

Absent: None

Staff: Lina Velasco, Tawfic Halaby, Jonelyn Whales and Emily Carroll

Approval of Minutes:

None.

Meeting Procedures:

Chair McNamara stated that any decision approved may be appealed in writing to the City Clerk within ten (10) days, or by Monday, March 25, 2021, by 5:00 p.m.

Public Forum:

No speakers

Liaison Reports:

There was no liaison present and no reports.

Consent Calendar:

None

Public Hearing:

- 1. PLN17-664 Demolition Permit for 824 Macdonald Avenue**

Description	PUBLIC HEARING TO CONSIDER AN EMERGENCY REQUEST FOR A DEMOLITION PERMIT TO REMOVE THE FLOOR AND ROOF FRAMING AND THE BRICK (UNREINFORCED MASONRY) PARAPET AND THE ENTIRE FRONT WALL OF A+2,300 SF STRUCTURE AT 824 MACDONALD AVENUE, A CONTRIBUTING STRUCTURE OF THE MACDONALD AVENUE HISTORIC DISTRICT TO PREVENT FALLING HAZARDS	
Location	824 MACDONALD AVENUE	
APN	538-250-004	
Zoning	CM-5, MIXED-USE, ACTIVITY CENTER	
Owner	CITY OF RICHMOND	
Applicant	TAWFIC HALABY, INTERIM PUBLIC WORKS DIRECTOR	
Staff Contact	JONELYN WHALES	Recommendation: CONDITIONAL APPROVAL

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Ms. Whales noted that the item before the Commission is an emergency request for a Certificate of Appropriateness to remove the floor, roof frame and brick on the parapet as well as the entire front wall of the structure at 824 Macdonald. The building is a contributing structure to the Macdonald Avenue Historic District. A Structural Engineering Report was done and the building is in danger of having more brick fall from the roof. Staff recommended the Commission make the Findings as well as support the Statements of Fact based on the Secretary of Interior Standards for the treatment of historical properties. After assessment Staff has determined that the building is economically infeasible to rehabilitate and poses a threat to adjacent buildings.

Vice Chair Pavlinec asked who owns the building and if the facility was transferred to the City after redevelopment was closed. Mr. Halaby confirmed that is correct. Vice Chair Pavlinec requested how many other buildings are owned by the City, were they transferred after redevelopment, how many are vacant and what plans are in place for those vacancies. She also wanted to know how the collapsed roof was discovered, what the process is for the maintenance for vacant buildings and when the threat to the adjacent buildings will be addressed.

Commissioner Crane inquired about the background of the building, if the building has the potential to be economically redeveloped in the future, and why Staff proposed a partial demolition instead of full demolition. Ms. Velasco answered that there are no plans for development on the site. The City has been developing its Surplus Property List and the property was identified as a property for future redevelopment. Mr. Halaby shared that the dilapidated building was discovered in late February of 2021. The building was immediately assessed and deemed in imminent danger of collapsing. The building was red-tagged in 2019 by the City and confirmation was made after another investigation that the roof had collapsed along with a portion of the second floor. Staff has received a permit from the Air Quality Management District to demolish the building and the City's Building Official has issued an Order to Demolition.

Commissioner Stromberg inquired what the impacts will be to the Historic District once the building is demolished. Mark Moore, ZFA Structural Engineers, emphasized that his company specializes in historic preservation work. He confirmed that the damage has been ongoing for many years. The key issue is that the roof and the second floor are connected to the brick parapet that faces the street. Due to the collapse, the brick parapet is now in danger of collapsing into the street. After an interior investigation, he discovered that the interior walls of the structure are shared by the adjacent properties. The concern was that due to the collapse, the walls are carrying heavy loads and could affect the adjacent property if they too collapse. There is also a concern regarding rodents and fire hazards. The scope of the work is to remove the collapsed roof and the second floor as well as the front elevation due to decay. His goal was to try to retain the brick parapet by bracing it and then install plywood to block off public access to the building. The shared sidewalls would be left in place but the framing that is pulling on the walls would be removed. The back wall may be salvageable but it needed further investigation.

Chair McNamara asked how the building will be secured if the back wall is removed. Mr. Moore predicted that there is no public access from the back but shared that he will make sure the site is secure.

Vice Chair Pavlinec wanted confirmation that there will be no risk to the adjacent walls once demolition is done. Mr. Moore emphasized that the wall's condition would be restored to their pre-damaged, pre-existing condition. He could not confirm if the walls were stable enough for the adjacent buildings to be occupied and he could not confirm if those walls sit on the subject site or not. Ms. Whales answered that the adjacent buildings are not owned by the City.

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Commissioner M. Hibma asked if Staff has a Civil Survey that showed parcel boundaries in order to determine where the walls sit. Mr. Halaby noted that the Public Works Department does not keep records for private buildings. Commissioner Haeber shared that the Mechanics Bank building is older than the damaged structure. Mr. Moore noted that it was common in that era to attach the roof to adjacent walls and to extend out. If it is discovered that the walls are in fact a double brick wall then the wall will be removed for 824 Macdonald.

Commissioner Stromberg announced that the Prism Historic Survey Report stated that 816 Macdonald was constructed in 1919 and 830 Macdonald was constructed in 1920. She predicted that 824 Macdonald was constructed in 1928.

Commissioner Haeber asked if a structural evaluation can be done on the adjacent walls after demolition is complete. Mr. Moore answered that if the walls are not shared, then it would be beyond the City's scope to mandate an evaluation of the adjacent building's walls. If after demolition the walls look dilapidated, the City then has jurisdiction to mandate an evaluation.

Vice Chair Pavlinec inquired if notices were sent out to surrounding structures regarding the proposed demolition. Ms. Velasco stated that there is no notice requirement but Staff can accommodate that request if the Commission moved it. Vice Chair Pavlinec indicated that it is important that the adjacent property owners are notified.

Commissioner M. Hibma agreed that outreach to the adjacent building owners is best practice and that the City needed to make sure that no inadvertent damage is done to the adjacent buildings as a result of the demolition.

Commissioner Haeber asked how the demolition equipment will enter the space and remove the damaged materials without removing the front façade. Mr. Moore answered that the logistics would be worked out with the contractor.

Commissioner Stromberg wanted to see further research be done on the building and have it be provided to the public. Commissioner Crane mentioned that the contributing status of the building is in question and she supported the idea of researching the building to see if it is indeed a contributing structure. Ms. Velasco asked if the Commission was requesting a Historic Resource Evaluation (HRE) and Commissioner C. Hibma advised that a consultant do an assessment but she understood that there is a more pressing safety concern. Mr. Moore confirmed that time is of the essence.

Chair McNamara called for public comment.

EMIL BROWN shared that there is a church that has active service every Sunday in the adjacent building in the back of the building with amplified music. He was concerned that they may not be aware of the danger. He was in favor of starting demolition right away, but he wanted to understand the impacts the work will have on the neighborhood. He predicted that his neighbors were not aware of the City's decision to move toward demolition of the building.

MELINDA MCCURRY spoke on behalf of herself and not the Richmond Museum of History. She wanted to know if the collapse was due to neglect by the City and what could have been done to prevent the collapse. She insisted that a full DPR be done for the structure in question as well as the adjacent buildings. She asked what the Commission is planning to do for the other historic structures the City owns. She was appalled that the church may not be able to hold their services

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and that the neglect of the building is an equity issue. She voiced her frustration and disappointment that this has happened.

Chair McNamara inquired what the timeline is. Mr. Halaby shared that there is a 10-day appeal period and that communications will happen with the adjacent property owners. His main concern was public safety and following the proper channels to remove the building as soon as possible.

Vice Chair Pavlinec asked if the street and sidewalk have been blocked off and Mr. Halaby answered yes. Chair McNamara suggested more robust barricades and Mr. Halaby explained that he would provide more barricades if they are available. Mr. Moore confirmed that if this process takes several months, the barricades will have to be more robust and cover more areas.

Vice Chair Pavlinec inquired if the item is scheduled to be presented to City Council. Ms. Velasco added that unless the item is appealed, the Commission has the final word but Staff can work with consultants to prepare an HRE.

Commissioner Haeber requested full HRE's for the adjacent buildings. Vice Chair Pavlinec predicted those could be done after the danger is eliminated and Commissioner Stromberg agreed.

Commissioner C. Hibma wanted to see an analysis for 824 Macdonald to be a priority. Commissioner M. Hibma agreed and added that communication with the adjacent property owners should take place as well as with Public Works to investigate the structural integrity of the potentially shared walls.

Vice Chair Pavlinec agreed with Ms. McCurry's comments. She requested there be a Condition of Approval that the Commission receive a full report of how many buildings the City owns that are historic, if they are vacant, what the plans are to take care of those structures, and a plan on how often they are reviewed, inspected and maintained.

Commissioner Crane remarked that the Finding related to the California Environmental Quality Act (CEQA) that was specific to the Secretary of Interior Standards, all the conditions were not met because the Finding assumed that the building will be stabilized and retained. She summarized that the intention was to stabilize the structure but remove a large portion of it with no knowledge of when the building will be restored. Ms. Whales referenced Section 210.80 (b)(4) which disclosed procedures regarding emergencies.

Commissioner Crane preferred the Commission to say that the Secretary of Interior Standards is not being met. Commissioner Haeber and C. Hibma agreed. Ms. Velasco asked if the Commission wanted Staff to revise the Finding and Commissioner Crane answered yes.

Chair McNamara asked if the Commission applies Conditions of Approval, if that those can happen parallel with Staff acquiring a Demolition Permit. Ms. Velasco shared that Staff will work on the preparation of an HRE for the subject building and have a consultant be at the meeting when the contractor and structural engineer explore the building. Staff will start notifying surrounding properties that there will be a partial demolition of the building.

Commissioner Haeber inquired what will happen to the materials after demolition. Mr. Moore predicated that due to time many of the materials will be disposed of as hazardous materials. Ms. Velasco noted that coordination between Mr. Moore and the contractor will take place to recycle as much of the demolished material as possible.

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Commissioner Stromberg inquired if there are unique architectural elements that can be salvaged in the building and can those be curated in an appropriate location. Mr. Moore emphasized that due to the safety hazard there is no time to do those assessments. Commissioner C. Hibma predicted that unique architectural elements could be part of the HRE scope.

Commissioner Crane moved that the Commission adopt a Certificate of Appropriateness for the demolition or partial demolition request with additional Conditions of Approvals. The Commission was in consensus that the first finding be revised to remove language regarding consistency with the Secretary of the Interior's Standards.

Vice Chair Pavlinec listed additional Conditions of Approval including notification to all neighbors and that adjacent neighbors receive robust notification, limiting construction hours, protection to adjacent structures during demolition, conduct a HRE with DPR Forms on 824 Macdonald immediately with HREs for the adjacent two buildings to follow, review and list character-defining features that can be saved, reuse materials, and report back to the Commission on city-owned historic buildings, if they are vacant, what is being done to remedy the vacancy and what's the maintenance and inspection plan for those buildings.

Chair McNamara requested a photographic recording of the demolition.

Ms. Velasco asked if mailings as well as signage disclosing that demolition will take place is sufficient for notification. Vice Chair Pavlinec requested that the signage be located at other locations as well as at the site.

Commissioner Crane wanted to see notification regarding the construction timeframe.

Ms. Velasco disclosed that there may not be funding to survey the adjacent properties that are not owned by the City. Staff can explore it but she predicted full HREs will be challenging without property owner consent and a funding source.

Mr. Halaby disclosed that the City does not have the resources to replace the roofs on all dilapidated buildings at this time and Commissioner Haeber suggested that Staff explore a Reuse Plan for historic buildings.

Commissioner C. Hibma suggested that the HREs for the privately-owned adjacent buildings be removed from the motion and that Staff focus on other city-owned buildings. Chair McNamara agreed with that suggestion. The Commission came to a consensus that the HRE will be limited to only 824 Macdonald.

Vice Chair Pavlinec emphasized that the list regarding City-owned historic structures can be done after the 824 Macdonald project is complete.

ACTION: It was M/S/C (Crane/McNamara) to approve the Certificate of Appropriateness with the omission of the Finding regarding the compliance with the Secretary of Interior Standards and with additional recommended conditions to provide notification to property owners within 500-feet of the subject site with on-site posting and postings around the area with construction times and a contact phone number, to complete a Historic Resource Evaluation of the subject building, identify character-defining features as well as features that can be saved prior to demolition, have restricted construction hours, provide protection to adjacent structures during demolition, recycle any materials after demolition, and report back to the Commission regarding City-owned buildings

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that are historic, if they are vacant, what's their maintenance plans as well as inspection schedules, and a photographic recording of the process; which carried by voice vote: 7-0 Ayes: McNamara, Crane, Haeber, C. Hibma, M. Hibma, Pavlinec, Stromberg; Noes: None.

Commission Business:

A. Commission member reports, requests, or announcements – Commissioner Crane wanted a commitment from Staff that they would present an update on Miraflores at the next meeting. Ms. Whales shared that the next Historic Preservation will be April 13th, 2021 and an update on Miraflores will be given.

Chair McNamara request a list of the City's owned historic structures and the maintenance schedule for those buildings.

Vice Chair Pavlinec suggested an update regarding the Mills Act project.

Ms. Whales suggested the Certified Local Government (CLG) Report be agendized as well.

Vice Chair Pavlinec announced that Docomomo is having their national symposium virtually and will be held May 25th, 2021 to May 28th, 2021.

Adjournment - The Commission adjourned at 7:40 p.m. to April 13, 2021.