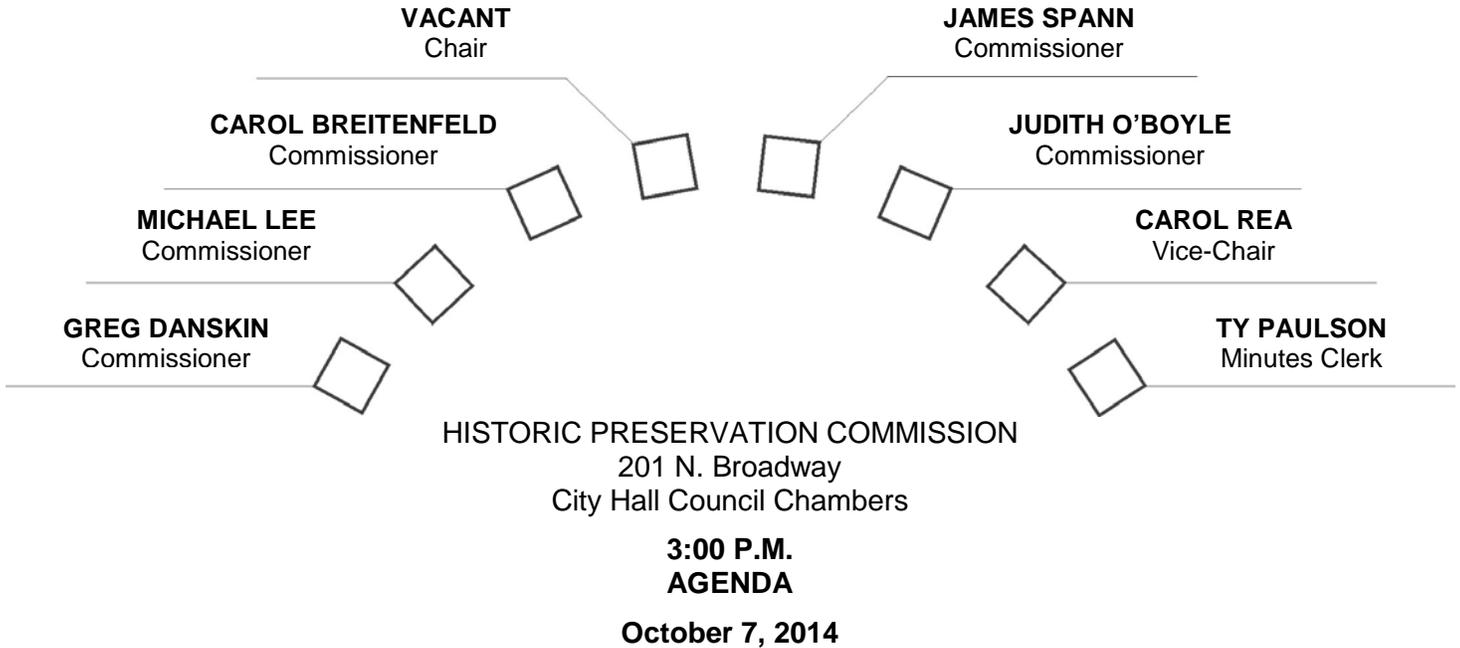


CITY OF ESCONDIDO

Historic Preservation Commission and Staff Seating



- A. CALL TO ORDER
- B. FLAG SALUTE
- C. ROLL CALL & WELCOME OF NEW COMMISSIONER
- D. REVIEW OF MINUTES: [August 5, 2014](#)

The Brown Act provides an opportunity for members of the public to directly address the Commission on any item of interest to the public, before or during the Commission's consideration of the item. If you wish to speak regarding an agenda item, please fill out a speaker's slip and give it to the minutes clerk who will forward it to the Chairman.

Electronic Media: Electronic media which members of the public wish to be used during any public comment period should be submitted to the Planning Division at least 24 hours prior to the meeting at which it is to be shown.

The electronic media will be subject to a virus scan and must be compatible with the City's existing system. The media must be labeled with the name of the speaker, the comment period during which the media is to be played and contact information for the person presenting the media.

The time necessary to present any electronic media is considered part of the maximum time limit provided to speakers. City staff will queue the electronic information when the public member is called upon to speak. Materials shown to the Commission during the meeting are part of the public record and may be retained by the City.

The City of Escondido is not responsible for the content of any material presented, and the presentation and content of electronic media shall be subject to the same responsibilities regarding decorum and presentation as are applicable to live presentations.

If you wish to speak concerning an item not on the agenda, you may do so under "Oral Communications" which is listed at the beginning and end of the agenda. All persons addressing the Historic Preservation Commission are asked to state their names for the public record.

Availability of supplemental materials after agenda posting: Any supplemental writings or documents provided to the Historic Preservation Commission regarding any item on this agenda will be made available for public inspection in the Planning Division located at 201 N. Broadway during normal business hours, or in the Council Chambers while the meeting is in session.

The City of Escondido recognizes its obligation to provide equal access to public services to individuals with disabilities. Please contact the A.D.A. Coordinator, (760) 839-4643, with any requests for reasonable accommodation, at least 24 hours prior to the meeting.

E. WRITTEN COMMUNICATION:

"Under State law, all items under Written Communications can have no action and will be referred to the staff for administrative action or scheduled on a subsequent agenda."

F. ORAL COMMUNICATION:

"Under State law, all items under Oral Communications can have no action and will be referred to the staff for administrative action or scheduled on a subsequent agenda." This is the opportunity for members of the public to address the Commission on any item of business within the jurisdiction of the Commission.

G. PUBLIC HEARINGS: None

H. CURRENT BUSINESS:

Current Business items are those that under state law and local ordinances do not require either public notice or public hearings. Public comments may be limited to a maximum time of three minutes per person.

1. MILLS ACT – Case No. HP 14-0003

REQUEST: Mills Act contract for Local Register property in the OEN

ZONING/LOCATION: R-1-6/ 309 E. 5th Ave.

APPLICANT: Jared & Beth Kassebaum

STAFF: Paul Bingham

STAFF RECOMMENDATION: Approval

2. DESIGN REVIEW – Case No. ADM 14-0143

REQUEST: Approval of an open lattice patio cover and arbor built in the rear yard without permits behind a Local Register house in the OEN.

ZONING/LOCATION: R-1-6/ 243 E 5th Ave.

APPLICANT: Rufino Aguiluz

STAFF: Paul Bingham

STAFF RECOMMENDATION: Conditional approval

3. DESIGN REVIEW – Case No. HP 14-0004

REQUEST: Approval of proposed additions to a Local Register property in the OEN.

ZONING/LOCATION: R-1-6/ 538 E. 9th Ave.

APPLICANT: Keith & Cecilia Moore

STAFF: Paul Bingham

STAFF RECOMMENDATION: Approval

4. DESIGN REVIEW – Case No. ADM 14-0165

REQUEST: Approval of adding proposed double garage with storage at the rear of a Local Register property.

ZONING/LOCATION: R-3-18/ 221 West 15th Avenue

APPLICANT: Marco Laureano for Santiago Gallegos

STAFF: Paul Bingham

STAFF RECOMMENDATION: Conditional approval

5. UPDATE on Case No. PHG 14-0020

Proposal to demolish some adobe structures on the Wier Brothers site and incorporate others into a 64-unit affordable apartment complex to be developed by Vietnam Veterans of San Diego at 1556 South Escondido Blvd.

STAFF: Rozanne Cherry

6. UPDATE ON GRAPE DAY PARK CONCEPT MASTER PLAN

STAFF: Rozanne Cherry

7. MILLS ACT WORK GROUP - REPORT/DISCUSSION

REQUESTED BY: Vice-Chair Carol Rea

**8. HISTORIC DISTRICT RELATED FEES AND INCENTIVES WORK GROUP -
REPORT/DISCUSSION**

REQUESTED BY: Vice-Chair Carol Rea

**9. PROMOTION OF HISTORIC PRESERVATION / ARTICLE WRITING WORK GROUP -
REPORT/DISCUSSION**

REQUESTED BY: Vice-Chair Carol Rea

I. ORAL COMMUNICATION:

"Under State law, all items under Oral Communication can have no action, and will be referred to the staff for administrative action or scheduled on a subsequent agenda." This is the opportunity for members of the public to address the commission on any item of business within the jurisdiction of the Commission.

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

CITY OF ESCONDIDO

**MINUTES OF THE REGULAR MEETING OF THE
ESCONDIDO HISTORIC PRESERVATION COMMISSION**

August 5, 2014

The meeting of the Historic Preservation Commission was called to order at 3:31 p.m. by Vice-chair Rea, in the City Council Chambers, 201 North Broadway, Escondido, California.

Commissioners present: Commissioner Breitenfeld, Commissioner Lee, Commissioner O'Boyle, Commissioner Rea and Commissioner Spann.

Commissioners absent: Commissioner Danskin.

Staff present: Rozanne Cherry, Principal Planner; Jay Paul, Associate Planner; Paul Bingham, Assistant Planner; and Ty Paulson, Minutes Clerk.

MINUTES:

Moved by Commissioner Spann, seconded by Commissioner Brietenfeld, to approve the minutes of the June 3, 2014 meeting. Motion carried unanimously.

WRITTEN COMMUNICATIONS: Received.

ORAL COMMUNICATIONS: None.

PUBLIC HEARINGS:

1. LOCAL REGISTER/MILLS ACT – CASE NO. HP 14-0002:

REQUEST: A Local Register Listing and Mills Act contract for Ralph Haver house (built in 1978) in the OEN.

LOCATION: 831 S. Broadway

Paul Bingham, Associate Planner, referenced the staff report and noted staff recommended the Commission forward recommendations of approval to City Council for the Local Register listing, Mills Act contract request, and CEQA exemption for the property located at 831 South Broadway.

ACTION:

Moved by Commissioner Spann, seconded by Commissioner Lee, to approve staff's recommendation. Motion carried unanimously. (5-0)

2. MILLS ACT – CASE NO. HP 14-001:

REQUEST: Mills Act contract for Local Register property in the OEN

LOCATION: 538 East 9th Avenue

Paul Bingham, Associate Planner, referenced the staff report and noted staff recommended the Commission forward recommendations of approval to City Council for the Mills Act contract request, and CEQA exemption for the property located at 538 East Ninth Avenue.

ACTION:

Moved by Commissioner Spann, seconded by Commissioner Lee, to approve staff's recommendation. Motion carried unanimously. (5-0)

CURRENT BUSINESS:

1. DESIGN REVIEW – CASE NO. ADM 14-0126:

REQUEST: Approval of Enclosed Patio in the OEN built many years ago without permits.

LOCATION: 119 West 7th Avenue

Paul Bingham, Associate Planner, referenced the staff report provided a brief the background history for the subject property. He noted that this was not a code enforcement case, noting that the applicant came to the City asking what the approval process would consist of. Staff recommended a conditional approval.

Commissioner Spann asked if the posts depicted in the picture were made out of block.

Carlos Bishop, Designer, replied in the affirmative and noted that there were wood frames between the pillars.

Commissioner O'Boyle stated that she was impressed that the owners came to the City before any work was done.

ACTION:

Moved by Commissioner O'Boyle, seconded by Vice-chair Rea, to approve staff's recommendation. Motion carried unanimously. (5-0)

2. DESIGN REVIEW – CASE NO. ADM 14-0048:

REQUEST: Consideration of Revised Design for Replacement Home in the OEN.

LOCATION: 110 West 10th Avenue

Paul Bingham, Associated Planner, referenced the revised design and noted that staff recommended approval of the revised design.

Vice-chair Rea expressed concern with the proposed gate being excessive for the lot. She also felt the proposed residence should be located in the middle of the lot, which would be similar to the previous residence.

Commissioner Spann questioned whether the gate would fit on the lot as proposed. He asked if approving the subject request included approving the details outlined in the drawing. Mrs. Cherry noted that staff would ensure that the detail was included in the final plans.

Vice-chair Rea moved to approve staff's recommendation as presented with a modification that the residence be located more in the center of the property.

Commissioner Lee was in favor of the proposed location for the residence due to feeling it would provide for more useable yard.

Commissioner O'Boyle suggested revising the motion to approve staff's recommendation with direction to narrow the gate so as not to accommodate a vehicle.

Commissioner Spann suggested approving staff's recommendation and letting staff work with the applicant to incorporate the Commission's recommendations.

ACTION:

Moved by Vice-chair Rea, seconded by Commissioner Spann, to revise the previous motion by approving staff's recommendation with the intent being for staff to work with the applicant regarding the gate and ensuring the detail was incorporated into the residence. Motion carried unanimously. (5-0)

3. DESIGN REVIEW – CASE NO. ADM 14-0020:

REQUEST: Proposal to demolish some adobe structures on the Weir Brothers site and incorporate others into a 64-unit affordable apartment complex.

LOCATION: 1556 South Escondido Boulevard

Jay Paul, Associated Planner, referenced the staff report and noted that staff recommended the Commission review the proposal and provide comment/recommendations regarding the appropriateness of the proposed demolition of the existing adobe structures on the site and preservation and integration of the adobe office into the project design.

Kent Trimble, representing Veterans Village of San Diego, provided the background history for the subject property. He noted that the property was being used as a drug and alcoholic treatment center for honorably discharged Veterans. He stated that proposed project would transition the 44 units of transitional housing into 64 permanent supportive housing 1- to 3- bedroom units. He then provided an overview of the site plans.

Commissioner O'Boyle asked Mr. Trimble if they owned the two adjacent lots to the south. Mr. Trimble replied in the negative.

Commissioner O'Boyle referenced the property on Escondido Boulevard whereby a garage with a bronze statue was situated, feeling this might be a more appropriate location for this project.

Commissioner O'Boyle stated that Modern San Diego's survey notated that Escondido should be famous for its adobe homes, noting that the bricks were local and the Weir brothers were local, and adobe was good for the environment. She expressed her concern with the consultant's reports stating that due diligence was preformed, noting her view that the property would probably meet the criteria for local, State, and National registers. She stated that she supported providing for the homeless and the Veterans but was opposed to impacting the historical significance this property.

Commissioner Spann noted that subject adobe units were significantly unique and should be retained. Commissioner Lee concurred.

Commissioner Brietenfeld was opposed to impacting the historical significance of the subject adobe structures.

Vice-chairman Rea asked Mr. Trimble if any historic research had occurred regarding the subject property. Mr. Trimble stated that approximately six years ago they had approached the City to improve the adobe units behind the front unit and were told the units were not historic. He noted that this was the first time they had conducted a cultural resource study. He also explained that they were a non-profit social service provider who had contracts with the VA.

Commissioner Brietenfeld asked Mr. Trimble if they were able to sell the subject property. Mr. Trimble explained that the funds used to purchase the property came from the VA and HUD, and as such, upon sale of the property 70% of the funds would have to be returned to the VA and HUD.

Commissioner O'Boyle asked if the subject facility would provide for families, noting her view that it did not have enough space for a tot lot. Mr. Trimble replied in the affirmative.

Vice-Chair Rea stated that the subject property was a culturally significant unique adobe complex, noting she was unaware of any others like it. She was opposed to proposed design. She stated that she was in favor of providing for the Veterans but also respected the City's cultural heritage, which the subject property was a significant part of.

Vice-chair Rea and Mr. Trimble discussed the funding mechanisms for the proposed project.

Commissioner Spann stated that the subject property was the most unique adobe complex in the City and demolishing it was unacceptable.

Mr. Trimble questioned whether constructing on the community garden and only removing Units 7-10 would be acceptable, thereby retaining the circular apartments and front office.

Vice-chair Rea stated that this would be more acceptable. She suggested incorporating the adobe aspect into the new design.

Mr. Trimble stated that studies conducted by the VA had indicated that a new, modern, clean design was the best therapeutic situation for homeless or low-income veterans.

Commissioner O'Boyle expressed her sympathy for the veterans, noting her view that the adobe units should be preserved. Vice-chairman Rea concurred.

Wendy Barker, Escondido, History Center Director, felt the property should be preserved.

Commissioner Spann stated that his preference would be to preserve the property, as it existed or at least to retain the front office and the adobe structures in the round circle, which should be placed on the Local Register.

Vice-Chair Rea referenced two written communications from individuals who were opposed to demolishing the adobe structures.

Commissioner Lee stated he could accept removing units 7-10 and incorporating a new design into the community garden but retaining the front office and circle apartments.

4. DISCUSS HPC GOALS AND WORK GROUPS:

Rozanne Cherry, Principal Planner, referenced the staff report and requested input.

Vice-chair Rea asked if ad hoc meetings would have to be noticed. Mrs. Cherry replied in the negative.

Discussion ensued regarding a clarification of the protocol for creating ad hoc workgroups.

Mills Act Discussion:

Vice-chair Rea asked if Mills Act visits could occur without going inside. Mrs. Cherry noted staff could research this further and report back to the Commission.

Commissioner O'Boyle stated that she was unaware of any jurisdiction that required going inside a Mills Act property.

Discussion ensued regarding the protocol for Mills Act inspections.

Mr. Bingham noted that Item 3 in the Mills Act contract had language whereby the owners agree to periodic examinations for both the interior and exterior of their structures. Commissioner O'Boyle asked for staff to provide the Secretary of Interior Standards language for local and State designations. Mrs. Cherry noted that anything requiring a building permit would provide for inspecting the work.

Vice-chair Rea suggested creating a Mills Act ad hoc workgroup with the goal of the group being to create the protocol for Mills Act visits and to have a list of homes to inspect. The workgroup was comprised of Commissioners Rea, O'Boyle, and Spann.

Staff was to arrange a meeting with Code Enforcement for the Mills Act Workgroup.

Grants & Funding:

Commissioner O'Boyle noted that she could not begin working on this until the new guidelines were available. The workgroup was comprised of Commissioners Lee, and O'Boyle.

Promote Cultural Assets:

Discussion ensued regarding writing articles for local magazines and promoting HPC awards in May. This item was deferred until fall or as opportunities came about. The workgroup was comprised of Vice-chair Rea.

Identify Emerging Historic Districts:

Commissioner Brietenfeld suggested this category be used as identifying different historic periods for structures within the City. The workgroup was comprised of Commissioners Brietenfeld and O'Boyle.

5. DISCUSSION OF FEES RELATED TO HISTORIC DISTRICTS AND PROPERTIES:

Vice-chair Rea provided the update and noted that City Council had not responded to the letter from the Commission regarding fees. She asked if the Commission wanted to write another letter to City Council.

Mrs. Cherry suggested the Commission establish a workgroup to gather information on fees that could be presented to City Council.

Vice-chair Rae felt that the Old Escondido Neighborhood was doing a good job spreading the word about items where a Certificate of Appropriateness was needed.

Vice-chair Rea asked how long a Certificate of Appropriateness was good for. Mr. Bingham noted that there was no expiration date for a Certificate of Appropriateness.

Vice-chair Rea asked staff to research whether incentive funds were available. She also expressed her concern with the fees being charged for the Certificate of Appropriateness.

Commissioner Spann asked if staff could check into the status of the façade improvement program.

The Commission established a future workgroup to look at fees. The workgroup was comprised of Vice-chair Rea and Commissioner Spann.

ORAL COMMUNICATIONS: None.

COMMISSIONER COMMENTS:

Vice-Chair Rea stated that she would like to be able to contact entities dealing with historic items in Escondido, which could be forwarded to the Commission.

Mrs. Cherry noted that this part of the agenda was where commissioners could provide comments, noting no action could be taken on the comments.

ADJOURNMENT:

The meeting was adjourned at 5:13 pm. The next regular meeting was scheduled for October 7, 2014, at 3:30 p.m.

Rozanne Cherry, Principal Planner

Ty Paulson, Minutes Clerk

HISTORIC PRESERVATION COMMISSION

Agenda Item No.: H.1
Date: October 7, 2014

TO: Historic Preservation Commission

FROM: Paul Bingham, Assistant Planner II

CASE NUMBER: HP 14-0003

REQUESTS: Residence addressed as 309 East Fifth Avenue (Old Escondido Neighborhood)

1. Mills Act contract request and
2. Consideration of the proposed CEQA exemption

RECOMMENDATION: Forward recommendation of approval to the City Council

BACKGROUND:

City of Escondido Historical/Cultural Resources Survey

A City of Escondido Historical/Cultural Resources Survey was completed in 1990 (Agis, May 1990). Close to 1,000 resources were inventoried in the survey for their significance. The Survey of 1990 was conducted in compliance with procedures established by the U.S. Department of the Interior, National Park Service and the State Office of Historic Preservation. A Historical/Cultural Resources Survey is a collection of information that identifies documents and describes the historical resources in the community. The survey also associates the resources with historical events and/or people. Among other preservation programs, the survey serves as the basis for historic preservation plans. The survey also fulfills a higher level of historic nomination requirements (Local, State and National), it allows for the applicability of Historic Building Code in regard to rehabilitation/renovation of structures, and justifies local, state and federal funding assistance.

Local Register of Historic Places Listing

The Historic Preservation Ordinance No. 2000-23, Section 33-794-5 identifies a process and criteria for listing historic structures on the City's Local Register. Requests for listing on the Local Register require that both the Historic Preservation Commission and the City Council conduct a public hearing to consider the request. The historic resource is evaluated against seven criteria and must meet at least two of the seven.

Mills Act Contract and Property Applying

The Mills Act is a state law that enables owners of designated historic properties to enter into a preservation contract with their local legislative body and receive a substantial reduction in the property taxes. One of the incentives for the preservation of historic and/or cultural resources, approved in 1989, allows property owners of designated historic resources to enter into a Mills Act contract with the City pursuant to State Law. The revised Historic Ordinance 92-409, adopted by Council on October 28, 1992, clarified that a property owner may apply for a Mills Act contract if the resource has been listed as a Local Register property.



ANALYSIS

Escondido Historical Resources Survey

The residence was designated as a Significant Resource in the 1990 Survey. The applicant has subsequently conducted

the required historic research and data collection, and has provided the information on the required format State Department of Parks and Recreation forms (see attached). The information provided by the applicant, includes more complete historical background and descriptive analysis of the architectural style and will add substantially to what is currently included in the City's survey.

Local Register of Historic Places Listing

This resource was placed on the Local Register by previous Historic Preservation Commission and Council actions taken on or before May 5, 1992.

Mills Act Contract

The subject property at 309 East Fifth Avenue (APN 233-281-0200) consists of .21 acres with a 1,760 SF single-story California Bungalow built in 1924. Located behind the main house is a matching single-bay 216 SF detached garage with bi-fold doors built about the same time period. There is also a sunken brick patio and outdoor stone chimney in the far southwestern corner of the lot which also appear original. Some original mature fruit trees also exist on the site. The existing structures appear to have had no significant exterior alterations. Damage by the elements will be addressed in the list of improvements attached to the Mills Act contract.

The Mills Act contract is for a minimum of ten years, automatically renewed each year unless a notice of non-renewal is filed. The terms of the contract require that the property owner make a commitment to maintain the structure and surrounding property, per a maintenance schedule that has been included with this report (see attached). All improvements must be performed to the Secretary of the Interior Standards. In addition, the applicant has been informed that all exterior modifications require staff review.

Summary

Staff feels that the proposed Mills Act Contract is appropriate since the property meets the established criteria for a historic resource, and adequate improvements have been listed.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Paul K. Bingham". The signature is stylized and includes a long, sweeping flourish at the end.

Paul K. Bingham
Assistant Planner II



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Notice of Exemption

To: San Diego County Recorder's Office
Attn: Vanessa Esquivel
P.O. Box 121750
San Diego, CA 92112-1750

From: City of Escondido
201 North Broadway
Escondido, CA 92025

Project Title/Case No.: HP-14-0003

Project Locations - specific: On the southeast corner of South Ivy Street and East Fifth Avenue, addressed as 309 East Fifth Avenue (APN: 233-281-0200).

Project Location - City: Escondido, **Project Location - County:** San Diego

Description of Project:

To approve a Mills Act Contract for the restoration and rehabilitation of a California Bungalow listed on the Local Register of Historic Resources to assist the owners with future preservation in the R-1-6 (Single-Family Residential, 6,000 SF minimum lot size) zone, located in the U1 (Urban I) land use designation of the General Plan and the Old Escondido Neighborhood historic district.

Name of Public Agency Approving Project: City of Escondido

Name(s) of Person or Agency Carrying Out Project:

Names: Jared & Rachael Kassebaum
Address: 309 East Fifth Avenue, Escondido, CA 92025

Telephone: (423) 718-5445

Private entity School district Local public agency State agency Other special district

Exempt Status:

Categorical Exemption: Section 15331, Class 31. "Historic Resource Restoration/Rehabilitation"

Reasons why project is exempt:

1. The project is consistent with the R-1-6 zone, U1 General Plan land use designation and no variances are required.
2. The project will be consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties with guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings.
3. The project will not be limited by the factors in section 15300.2 and will not adversely change the significance of a historical resource.

Lead Agency Contact Person: Paul K. Bingham

Area Code/Telephone/Extension (760) 839-4306

Signature: Paul K. Bingham
Assistant Planner

10/7/14
Date

Signed by Lead Agency

Date received for filing at OPR:

Signed by Applicant

Mills Act Application List of Improvements

Property Address: 309 East 5th Avenue
Property Owners: Jared and Rachael Kassebaum

- 1) Replace old furnace and ductwork (completed)
- 2) Repair water-damaged bathroom subfloor (completed)
- 3) Termite tenting of main house (completed)
- 4) Upgrade electrical system from 60A to 200A service (completed)
- 5) Repair and repaint front wood fence (completed)
- 6) Repair original front screen door (completed)
- 7) Remove trees threatening foundation and trim those scraping the roof (completed)
- 8) Restore 28 existing double-hung windows (planned)
- 9) Install replacement wooden window screens (planned)
- 10) Restore existing garage (planned)
- 11) Repaint main house and garage (planned)
- 12) Repair and/or replace sections of back fence and gate (planned)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 3 *Resource Name or #: (Assigned by recorder) _____

P1. Other Identifier: M. W. Perry House

*P2. Location: Not for Publication Unrestricted

*a. County San Diego and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)

*b. USGS 7.5' Quad _____ Date _____ T _____; R _____; _____ ¼ of _____ ¼ of Sec _____; _____ B.M.

c. Address 309 E. 5th Avenue City Escondido Zip 92025

d. UTM: (Give more than one for large and/or linear resources) Zone _____, _____ mE/ _____ mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate) APN 233-281-02

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The resource is a single-family residence built in 1924 by Martin W. Perry. The property is bounded on the north by 5th Ave., on the east by Ivy St., on the south by an alley, and on the west by a residential property; it is within the Old Escondido Historic District. The house is a Craftsman single-story bungalow consisting of eight rooms, including four bedrooms (1760 sf). The outside is constructed of four-inch clapboard siding with a low-pitch gabled roof, including a gabled front porch. The property also includes an original one-car garage with bi-fold doors, a sunken brick patio, and an outdoor stone chimney.

*P3b. Resource Attributes: (List attributes and codes) HP2 Single family property

*P4 Resources Present: Building Structure Object Site District Element of District Other (Isolates, etc.)



P5b. Description of Photo:
(view, date, accession #) View from north edge
of property, taken July 23, 2014.

*P6. Date Constructed/Age and Source:
 Historic Prehistoric Both
1924 Grant deed, City Directory, newspaper
articles

*P7. Owner and Address: Jared and
Rachael Kassebaum, 309 E. 5th Avenue,
Escondido, CA 92025

*P8. Recorded by:
(Name, affiliation, and address)
Jared and Rachael Kassebaum, 309 E. 5th
Avenue, Escondido, CA 92025

*P9. Date Recorded: July 23, 2014

*P10. Survey Type: (Describe) Volunteer effort by current owner. Information collected includes complete title chain from 1887 to present, research from the daily newspaper in Escondido, and oral interviews from neighbors.

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") None

*Attachments: NONE Location Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record
 Artifact Record Photograph Record Other (List): _____

**State of California -- The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD**

Primary # _____
HRI # _____

*NRHP Status Code 5S1

Page 2 of 3 *Resource Name or #: (Assigned by recorder) _____

- B1. Historic Name: M. W. Perry House
 B2. Common Name: None
 B3. Original Use: Single family residential
 B4. Present Use: Single family residential
 *B5. Architectural Style: Craftsman/Arts & Crafts

*B6. Construction History: (Construction date, alterations, and date of alterations)

The house was constructed in 1924. There have been no alterations to the exterior of the house. A small roof extension was added (date unknown) to the south side of the house at the back door. A split-rail fence was installed on the front and east sides of the house in the 2000's, along with a lattice-style privacy fence on the west side. Original window screens (listed in the Assessor Building Notes) have been lost.

*B7. Moved? No Yes Unknown Date: _____ Original Location: _____

*B8. Related Features:

Detached original garage with bi-fold doors and in-ground service manhole. Expansive brick & adobe patio and stone fireplace in backyard are likely both original (and unaltered) from the 1920's.

B9a. Architect: Unknown b. Builder: Mr. Eakin

*B10. Significance: Theme Residential architecture Area: Old Escondido

Period of Significance: 1924-1943 Property Type: Single family home Applicable Criteria: N/A

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This house appears eligible for Mills Act listing because it is a classic example of an American Craftsman bungalow. Its low-pitch gabled roof, overhanging eaves with exposed beam ends, and comfortable front porch embody the ideals of the Arts and Crafts movement.

At eight rooms, it is larger than most bungalows of the era and in the surrounding neighborhood. Mr. Martin W. (Bill) Perry, who purchased the property and ordered the construction of the house, was a significant figure in Escondido. He was the first principal of Escondido High School, and later served as district superintendent for 29 years. He also proved instrumental in establishing Palomar Community College.

The exterior of the house has not been altered since its original construction. The multi-paned windows and doors, along with the four-inch wood clapboard siding, are emblematic of the Arts and Crafts movement during the 1920's. Information about the interior of the house is provided in the attached narrative.

B11. Additional Resource Attributes: (List attributes and codes) _____

*B12. References:

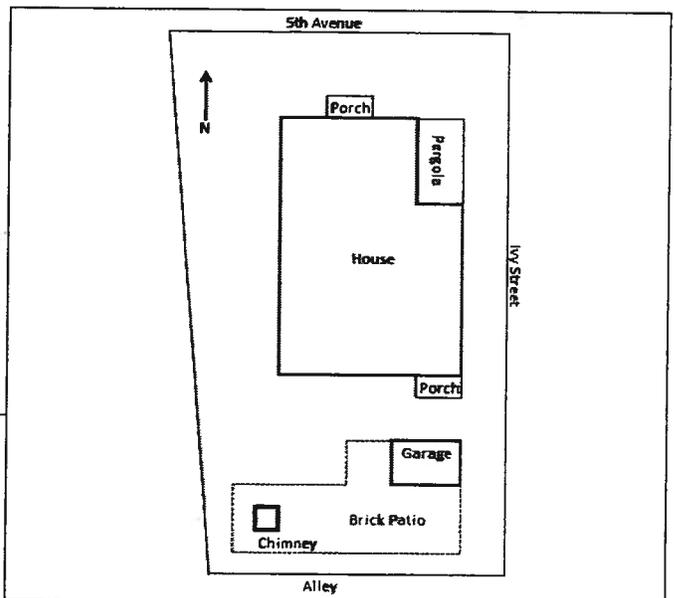
Research on the house and M. W. Perry was conducted through an article search of the daily newspaper, as well as resources from the Escondido Historical Society and oral interviews with a neighbor.

B13. Remarks:

*B14. Evaluator:

*Date of Evaluation: _____

(This space reserved for official comments)



State of California – The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 3 of 3 *Resource Name or #: (Assigned by recorder) _____

Recorded by: Rachael Kassebaum Date: July 23, 2014

Continuation Update

Please see attached narrative concerning the house and its occupants, including several newspaper articles.

Ownership History

The M.W. Perry house was built in 1924 by Martin William (Bill) Perry and his wife Iona Mable Perry, nee Finch. Construction started the first week of March. A brief article in the Daily Times Advocate on March 6th gave a few details about the new house under construction.

Mr. Perry was a high school teacher at Escondido High School, arriving from Whittier in 1917 as a math instructor and athletic coach. He became Principal of the high school in 1918 and was Escondido's first high school district superintendent. He also served on the San Diego County Board of Education 43 years, and proved instrumental in establishing Palomar Community College.

He retired from the high school in 1947 and died in Escondido on July 9, 1964. In 1986, a bust of Mr. Perry, created by former student and local artist George Baker, was dedicated at the public library. For many years, it was on display in the South Reading Room of the library; it has since been returned to the school district.

The Perrys lived in the house from its construction in 1924 until 1943, when they sold the residence to Luther and Marion Durbin. The Durbins bought Marabotto's Bakery in 1943, then renamed Durbin Bakery, and members of the family took part in the business for several years. In addition, Marion was renowned for her home business of baking wedding cakes. Marion was also an artist; she used the original Model T garage as her art studio. The Durbins had four children, and after Luther died in 1980 Marion continued to live in the house. In 1989, Marion sold the house to Donald and Julianne Bray.

Donald Bray was nationally renowned in the water treatment industry. After earning the equivalent of a doctorate in nuclear technology from the Oak Ridge School of Reactor Technology, he served as an Army officer stationed in Berlin in World War II. In the 1960's, he started two water treatment companies. The Brays lived in the house from 1989 until 1999, when they sold it to Lars and Jennifer Rasmussen. The Rasmussens lived in the house, along with their three children, from 1999 until 2014.

The house has a long history of owners who love to garden. The Brays likely planted many of the fruit trees around the property (guava, apricot, orange, lemon, and fig). The Rasmussens loved the outdoors as well, planting grape vines and building an arbor in the backyard. They also contributed a pomegranate tree transplanted from Jennifer's family farm house near Dixon Lake.

In March of 2014, we purchased the house. Jared works for EDF Renewable Energy, a wind and solar energy company. In the summer of 2012, he took part in a production of King Lear at Patio Playhouse. Beth works for the City of Escondido as a Traffic Engineer and was instrumental in the Old Escondido neighborhood traffic calming project in 2012. Our daughter is two years old and loves having a house, a yard, and a neighborhood in which to walk, learn, and play. We already love the neighborhood and walking to the library, the Farmer's Market, and the Children's Museum. We are very excited to add our names to the ownership list of 309 E. 5th Avenue. It took us over a year to find our house in the Historic District, because we did not simply view the purchase of a home as an investment. We desired to be stewards of an historic home which we could lovingly (and laboriously) restore and preserve for future generations.

House History

The house is a Craftsman single-story bungalow consisting of eight rooms, including four bedrooms (1760 square feet). The outside is constructed of four-inch clapboard siding with a low-pitch gabled roof, including a gabled front porch. Research (still pending) and visual inspection indicates the house might have originally been painted white with light blue trim on windows and doors.

There have been no significant alterations to the exterior of the house. A small roof extension was added (date unknown) to the south side of the house at the back door. A split-rail fence was installed on the front and east sides of the house in the 2000's, along with a lattice-style privacy fence on the west side. Original window screens (listed in the Assessor Building Notes) have been lost.

The interior of the house consists of eight rooms: a large combined living and dining room, kitchen and breakfast nook, four bedrooms, and two bathrooms. Most of the original, charming features of the interior are in place and in very good condition. These include:

- Solid wood (oak and tiger oak) floors,
- Double-hung windows with multi-paned tops (many panes of glass are original),
- Octagonal glass knobs on interior doors,
- Gray brick fireplace with built-in bookshelves on both sides,
- Built-in buffet in the dining room
- Built-in cabinets in the hall, original bathroom, and master bedroom
- Cove ceilings and picture rail in living and dining room, and
- Crown molding in two bedrooms.

In the original floor plan, the master bedroom had two small closets. While the Durbins were living in the house, the current laundry room (off the kitchen) was a mudroom. There was a sink and toilet to the left of the screen door. They or a later owner moved the wall to its current location to add a full bathroom off the Master bedroom (absorbing the second closet). Additionally, the Rasmussens removed the wall dividing the breakfast nook and the dining room, as well as removed a swinging door dividing the kitchen from the dining room. They also built the arbor and planted several of the fruit trees.

The Building Assessor Notes shows the house once had wooden window screens, and the original hooks remain on all windows. It is our intention to install historically appropriate wood screens on the windows.

The property also includes an original one-car garage with bi-fold doors, a sunken brick patio, and an outdoor stone chimney. The garage was built at the same time as the house, and features a sunken cement hole in the car for car repair. Oral interviews from a neighbor indicate the patio and chimney might also be original.

<u>Owner/Occupant</u>	<u>Effective Date</u>
Jared L. and Rachael E. Kassebaum	March 17, 2014
Lars and Jennifer Rasmussen	January 5, 1999
Donald T. Bray and Julianne La Frankie-Bray	November 15, 1989
Luther O. and Marion Catherine Durbin	October 5, 1943
Martin W. and Iona M. Perry	December 7, 1923
R. M. and Beulah W. Howland	June 1, 1920
Sarah E. and Jesse Newton	September 12, 1903
Mrs. E. S. Burson	September 26, 1899
Mary D. and Charles D. Todd	April 9, 1895
E. Monroe Neel	April 8, 1895
Mrs. Viola N. Lindsay	September 29, 1893
Mr. A. S. Lindsay	May 19, 1887 (from The Escondido Land and Town Co.)

**NOMINATION REPORT FOR THE CITY OF ESCONDIDO
LOCAL REGISTER OF HISTORIC PLACES**

Address of Resource: 309 East Fifth Avenue

Existing Use: Residential

Zoning: R-1-6

General Plan Designation: Urban 1

Tier Designation: Central/Tier 1

Construction Date: c1915

Meets Ordinance Criteria 2 and 5 for Local Register Listing.

Justification for Register Listing:

This neat-appearing California bungalow is a single-story with a low wide gabled roof with gables facing sides. A gabled porch with plain brackets, a vertical lath vent and exposed beam ends jut out from the front side. Narrow clapboard siding sheaths the building. Square porch columns trimmed with moldings support the porch roof. Double-hung windows in a series of three with multi-paned tops are placed on each side of the front door which matches the windows. Windows and gable ends on the side match those on the front and a pergola fills the ell between the east wing and the side of the front of the house.

Staff Recommendation:

Staff recommends this resource be placed on the Local Register.

Commission Action:

On May 5, 1992, the Commission voted unanimously to approve placing this resource on the Local Register.

LR-128

PL\T0221-03

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

THIS SPACE FOR RECORDER'S USE ONLY

HISTORIC PROPERTY PRESERVATION AGREEMENT

This Agreement is made and entered into by and between the CITY OF ESCONDIDO, a municipal corporation (hereinafter referred to as "the CITY") and [Insert Owners' Names] (hereinafter referred to as "the OWNERS").

Recitals

1. WHEREAS, the OWNERS possess and own real property located within the City of Escondido, which property is more fully described in Attachment "A" to this Agreement (hereinafter "the PROPERTY"); and
2. WHEREAS, the PROPERTY is a qualified historical property in that it is privately owned, it is not exempt from property taxation, and it is listed in the Local Register of Historic Places; and
3. WHEREAS, both the CITY and the OWNERS desire to carry out the purposes of Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code; and
4. WHEREAS, both the CITY and the OWNERS desire to limit the use of the PROPERTY to retain its characteristics as a property of historical significance.

Agreement

NOW THEREFORE, both the CITY and the OWNERS, in consideration of the mutual promises, covenants and conditions contained herein and the substantial public benefits to be derived therefrom, do hereby agree as follows:

1. Applicability of Government Code and Revenue and Taxation Code. This Agreement is made pursuant to Article 12 (commencing with section 50280) of Chapter 1 of Part 1 of Division 1 of Title 5 of the California Government Code and Article 1.9 (commencing with section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code and is subject to all of the provisions of these statutes.

2. Preservation of Property. The OWNERS agree to preserve the PROPERTY and, when necessary, to restore and rehabilitate the property to conform to the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation, the United States Secretary of the Interior's Standards for Rehabilitation, and the State Historical Building Code. In particular, the OWNERS agree to make all of the improvements identified in Attachment "B" during the initial term of this Agreement.

PKK JLK
OWNER'S INITIALS

3. Inspections. The OWNERS agree to permit the periodic examination of the interior and exterior of the PROPERTY by the CITY, the County Assessor, the Department of Parks and Recreation, and the State Board of Equalization as may be necessary to determine the OWNERS' compliance with this Agreement.

PKK JLK
OWNER'S INITIALS

4. Term of Agreement. This Agreement shall be effective and shall commence on the date this Agreement is approved by a resolution of the City Council and shall remain in effect for a period of ten (10) years thereafter.

5. Automatic Renewal. On the tenth (10th) anniversary of this Agreement and on each successive anniversary date (hereinafter referred to as "the RENEWAL DATE"), one (1) year shall automatically be added to the initial term of this Agreement unless notice of nonrenewal is given as provided in Paragraph 6 below.

6. Notice of Nonrenewal. If, in any year, either the CITY or the OWNERS desire not to renew this Agreement, that party shall serve written notice of nonrenewal on the other party. If the OWNERS elect to serve a notice of nonrenewal, the notice must be served on the CITY at least ninety (90) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Conversely, if the CITY elects to serve a notice of nonrenewal, the notice must be served on the OWNERS at least sixty (60) days prior to the RENEWAL DATE, otherwise one (1) additional year shall automatically be added to the term of this Agreement. Upon receipt by the OWNERS of a notice of nonrenewal from the CITY, the OWNERS

may make a written protest of the nonrenewal. The CITY may, at any time prior to the RENEWAL DATE, withdraw its notice of nonrenewal.

7. Effect of Notice of Nonrenewal. If, in any year, either party serves a notice of nonrenewal as provided in Paragraph 6 above, this Agreement shall remain in effect for: (1) the balance of the period remaining under the initial term of this Agreement; or (2) the balance of the period remaining since the last automatic renewal, whichever the case may be.

8. Cancellation. The CITY may cancel this Agreement if the CITY determines the OWNERS have breached any of the conditions or covenants of this Agreement or have allowed the PROPERTY to deteriorate to the point that it no longer meets the standards of a qualified historical property. The CITY may also cancel this Agreement if it determines that the OWNERS have failed to restore or rehabilitate the PROPERTY in the manner specified in this Agreement.

RSEK JLV OWNER'S INITIALS

9. Notice of Cancellation. Notwithstanding the above, this Agreement cannot be cancelled until after the CITY has given notice and has held a public hearing as required by California Government Code section 50285. Notice of the hearing shall be mailed to the last known address of each owner of property within the same historic zone as the PROPERTY and shall be published in accordance with California Government Code section 6061.

10. Cancellation Fee. If the CITY cancels this Agreement in accordance with Paragraph 8, the OWNERS shall pay a cancellation fee of twelve and one-half percent (12-1/2%) of the then current fair market value of the PROPERTY, which is to be determined by the County Assessor as though the PROPERTY were free and clear of any of the restrictions contained in this Agreement. The cancellation fee shall be paid to the County Auditor at the time and in the manner that the County Auditor shall prescribe and shall be allocated by the County Auditor to each jurisdiction in the tax rate area in which the PROPERTY is located in the same manner as the County Auditor allocates the annual tax increment in that tax area that fiscal year.

RSEK JLV OWNER'S INITIALS

11. No Compensation. The OWNERS shall not receive any payment from the CITY in consideration for the obligations imposed under this Agreement. The parties recognize and agree that the consideration for the execution of this Agreement is the substantial public benefit to be derived therefrom and the advantage that will accrue to the OWNERS as a result of the effect this Agreement will have on the assessed value of the PROPERTY because of the restrictions this Agreement imposes on the use and preservation of the PROPERTY.

12. Remedy If Agreement Not An Enforceable Restriction. In the event it is finally determined by a court of competent jurisdiction that this Agreement does not constitute an enforceable restriction within the meaning of the applicable provisions of the California Government Code and the California Revenue and Taxation Code, except for an unenforceability arising from the cancellation or nonrenewal of this Agreement, for any tax year during the life of this Agreement, then this Agreement shall be null and void and without further effect and the PROPERTY shall from that time forward be free from any restriction whatsoever under this Agreement without any payment or further act by the parties.

13. Condemnation Proceedings. If condemnation proceedings are filed against the PROPERTY, or if the PROPERTY is acquired by a public agency in lieu of condemnation proceedings, this Agreement shall be null and void. If the condemnation proceedings are subsequently abandoned or the acquisition rescinded, this Agreement shall be reactivated retroactively and shall be in full force and effect without the need for any further act by the parties.

14. Entire Agreement. This instrument and its attachments constitute the entire agreement between the parties. The parties shall not be bound by any terms, conditions, statements, or representations, oral or written, not contained in this Agreement. Each party hereby acknowledges that in executing this Agreement, the party has not been induced, persuaded, or motivated by any promise or representation made by the other parties, unless expressly set forth in this Agreement. All previous negotiations, statements, and preliminary instruments by the parties or their representatives are merged in this instrument and are of no force and effect.

15. Modification. No modification of this Agreement shall be valid or binding unless the modification is in writing, signed by all parties, and recorded with the County Recorder for the County of San Diego.

16. Binding Effect. This Agreement shall be binding on and inure to the benefit of all successors-in-interest of the OWNERS. A successor-in-interest shall have the same rights and obligations under this Agreement as the OWNERS.

17. Choice of Law and Forum. This Agreement and the legal relations between the parties shall be governed by and construed in accordance with the laws of the State of California. Any action or proceeding to enforce any provision of this Agreement shall be brought in the San Diego Superior Court, North County Division.

18. Headings. The headings of the paragraphs of this Agreement are inserted for convenience only. They do not constitute part of this Agreement and shall not be used in its construction.

19. Waiver. The waiver by any party to this Agreement of a breach of any provision of this Agreement shall not be deemed a continuing waiver or a waiver of any subsequent breach of that or any other provision of this Agreement.

20. Severability. The invalidity in whole or in part of any provision of this Agreement will not void or affect the validity of any other provisions of this Agreement.

21. Notices. Any notice, delivery or other communication pursuant to this Agreement shall be in writing and shall be given to:

CITY: City Clerk
City of Escondido
201 N. Broadway
Escondido, CA 92025

OWNERS: [Insert Names and Mailing Address]

Josel & Rachael
Kassebaum
309 E. 5th Ave
Escondido, CA
92025

Any party may change his/her/its address by giving written notice to the other parties in the manner provided in this paragraph. Any notice, delivery, or other communication shall be effective and shall be deemed to be received by the other parties within five (5) business days after the notice has been deposited in the United States mail, duly registered or certified, with postage prepaid, and addressed as set forth above.

22. Notice to Office of Historic Preservation. The OWNERS or an agent of the OWNERS shall provide written notice of this Agreement to the Office of Historic Preservation within six months of entering into this Agreement. A copy of this notice shall also be provided to the CITY.

(Remainder of page left intentionally blank.)

23. Counterparts. This Agreement may be executed in any number of counterparts or by facsimile transmission, each of which will be deemed an original with the same effect as if all signatures were on the same instrument.

IN WITNESS WHEREOF, the CITY and the OWNERS have executed this Agreement as of the date set forth below.

CITY OF ESCONDIDO

Dated: _____

By: _____
Lori Holt Pfeiler, Mayor

Dated: _____

By: _____
Marsha Whalen, City Clerk

OWNERS

Dated: _____

By: Rachael E. Kassebaum
[Insert Name] Rachael Kassebaum
(This signature must be notarized.)

Dated: _____

By: Jared L. Kassebaum
[Insert Name] Jared L. Kassebaum
(This signature must be notarized.)

Dated: _____

By: _____
[Insert Name]
(This signature must be notarized.)

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY
JEFFREY R. EPP, City Attorney

By: _____

HISTORIC PRESERVATION COMMISSION

Agenda Item No.: H.8
Date: October 7, 2014

TO: Historic Preservation Commissioners
FROM: Rozanne Cherry, Principal Planner
SUBJECT: Historic Preservation Incentives and Fees

Incentives for historic preservation were adopted in 1992, Council Resolution #92-266, and amended later that year by resolution #92-409. The incentives included both fee waivers and reimbursements for certain items. Only the fee waivers are currently available as listed in Attachment "A". The original budget allocations for reimbursements were re-budgeted one time and then were not part of subsequent budgets. The small amount of remaining funds was transferred to other budget items. This occurred in the 1990's, prior to the adoption of historic preservation processing fees in 2004. These fees were later rescinded by Council in 2005 in response to concern that the fees could be a disincentive for preservation efforts. In 2013, Council directed staff to move towards full cost recovery in updating city fees, so staff proposed reinstating the historic preservation application processing fees for Certificates of Appropriateness, Local Register designation requests and Mills Act requests. See Attachment "B". Recently City Council directed staff to return for further discussion of the fees for historic preservation applications. It is anticipated that this will be schedule sometime in November.

In addition to fee waivers, there are several policies that are favorable to historic preservation projects.

1. Certificates of Appropriateness do not expire and one certificate can cover several projects that are planned to be done in phases. Repainting the same colors or replacing previously approved work would not need a new C of A.
2. The Planning Division fee schedule has a provision for the reduction of city fees for combined applications, such as for a request to be designated a Local Register property and enter a Mills Act agreement. The combined city fees would be reduced by 25% (\$624 to \$468) and the public hearing notice fees (\$300) added for a total of \$768.
3. When a residential project requires design review pursuant to Article 40, only the lesser fee for the Certificate of Appropriateness (\$104) is charged; not the Design Review fee of \$450.

In addition to the incentives in Attachment "A" for commercially zoned historic resources, these properties may also qualify for some of the fee waivers established for the three targeted commercial areas of the Downtown Specific Plan, E. Valley Pkwy and S. Escondido Blvd. See Attachment "C". There are also the incentives of the Façade and Property Improvement Program (FPIP) for commercial properties.

Staff will also be reviewing the various code sections and review processes regarding historic preservation projects to determine what can be simplified and streamlined.

HISTORIC PRESERVATION INCENTIVES updated 10-1-14

The following incentives program is applicable to owners of (1) non-register properties in the Old Escondido Neighborhood district, (2) properties listed on the Local Register of Historic Places, and (3) properties listed on the Local Register and designated by a landmark.

Criteria for Qualifying for Incentives

The following general criteria must be met in order for an applicant to qualify for any of the incentives:

1. Property owner is engaging in maintenance of the structure or yard that is "street visible."
2. The exterior improvements to an historic structure are determined by staff and/or the Historic Preservation Committee (HPC) to be in conformance with the Design Guidelines for Homeowners of Historic Structures.
3. The maximum amount of the incentive is not given more than once every five years to a property or property owner.
4. The work is approved by ^{staff and/or} the HPC prior to the incentive being granted or work performed.
- ~~5. Reimbursement for the work is made to the property owner only after all work is completed and inspected by staff.~~
- ~~6. All receipts for materials and/or labor must be submitted to staff to receive reimbursement.~~

Non-register properties in the Old Escondido Neighborhood are eligible for the following incentives:

1. Waiver of Building and/or ^{C of A or} Plot Plan fees not to exceed \$300.
- ~~2. Reimbursement for a dumpster up to \$300.~~
- ~~3. Reimbursement for a maximum of \$150 for building or landscape materials.~~

Residential properties listed on the Local Register of Historic Places are eligible for the following incentives:

1. Waiver of Building and/or ^{C of A or} Plot Plan fees not to exceed \$300.
- ~~2. Reimbursement for a dumpster up to \$300.~~

- ~~3. Reimbursement for a maximum of \$300 for exterior building or landscape materials.~~
- ~~4. Reimbursement for a maximum of \$300 for design services rendered by an architect or designer experienced in the field of historic preservation. The architect must supply a letter documenting their work on a minimum of three projects involving historic preservation.~~
- 5. Eligibility to participate in the Mills Act contract provided that all criteria are met.
- 6. Waiver of any applicable fee for site plan analysis as required for listing on Local Register.

Residential properties listed on the Local Register of Historic Places and designated as a Historic Landmark are eligible for the following incentives:

- 1. Waiver of Building and/or Plot Plan fees not to exceed \$600.
C of A or
- ~~2. Reimbursement for a dumpster up to \$300.~~
- ~~3. Reimbursement for a maximum of \$1,000 for exterior building or landscape materials.~~
- ~~4. Reimbursement for a maximum of \$1,500 for design services rendered by an architect or designer experienced in the field of historic preservation. (The architect must supply a letter documenting their work on a minimum of three projects involving historic preservation.)~~
- 5. Eligibility to participate in the Mills Act contract.

If a structure is listed on the Local Register of Historic Places and is located on property zoned commercial or professional, *or in a Specific Plan district that allows commercial uses,* or the structure is located on the south side of Fifth Avenue between South Escondido Boulevard and Juniper Avenue, the property owners are eligible for the same incentives as properties listed on the Local Register. In addition, these properties can incorporate the following relaxed design standards into their project:

- 1. Allow vehicles to back onto non-designated circulation element streets provided that site distance requirements are met.
- 2. Provide individual trash cans instead of a dumpster with the written consent of Escondido Disposal.
- 3. The applicant may request a parking credit or variation from the total number of spaces required for development under the Escondido Zoning Code as follows:

- a. Credit of fifty percent (50%) of the total on-street spaces contiguous to the subject property applied to the total off-street parking required by the Zoning Code.
- b. On-site tandem spaces may be applied to off-street parking requirements for employees only, excluding the handicap space. Spaces shall be designated for employees only.

A minimum of two (2) spaces shall be provided on site.

- 4. Waiver of one hundred percent (100%) of Building and/or Plot Plan fees.
- 5. Waiver of fifty percent (50%) of the Conditional Use Permit (CUP) fee if a CUP is required to permit the use of the property.
- 6. Expedited review and processing of City-required site plan and building permit applications.

Historic Landmark Designation

1. Structures listed on the Local Register which have a special character or special historic or aesthetic interest or importance as part of the development, heritage or cultural characteristics of the city, state or nation may warrant distinctive recognition as a historic landmark. These special structures qualify as landmarks wherein they exemplify the particular architectural style or way of life important to the city or provide clear significance and community recognition. Criteria for Landmark designations (Ord. 92-03) will be used to evaluate Landmark request. Evaluation will be based on an outstanding rating of these criteria.

? 2. Additionally, a property owner may request assistance with a low-cost alternative to obtain a chain of title search to document the historic significance of the property.

~~3. Landmark structures would be identified with an exterior bronze plaque displaying pertinent information about the landmark.~~

Historic Sign Designation in conjunction with Art. 40 sec. 33.794, Art. 65. sec. 33-1379 and Art. 66 sec. 33.1395.12

A sign may be designated as historically significant if recommended by the Historic Preservation Commission and approved by the Planning Commission if it meets one or more of the following criteria:

- 1. The sign is exemplary of technology, craftsmanship or design of the period when it was constructed, uses historic sign materials and is not significantly altered.
- 2. The sign is integrated into the architecture of the building, such as the sign pylons on buildings constructed in the Moderne style.

3. The sign demonstrates extraordinary aesthetic quality, creativity, or innovation and findings to that effect are made by the Historic Preservation Commission and the Planning Commission.

Placement on the historic sign inventory does not preclude the owner from demolishing or removing the sign. Signs designated as historic signs may be exempted from limitations on height and location, and the sign area may be exempted from the allowable total sign area for the site. All parts of the exempted historic sign, including neon tubes, incandescent lights and shields and sign faces, shall be maintained in a functioning condition as historically intended for the sign. The wording or image of the historic sign may be altered only if such alterations do not substantially change the historic style, scale, height, type of material or dimensions of the historic sign. Historic signs for which an exception is granted shall be brought into conformance with the above requirements within 90 days of the date the exception is granted. Failure to maintain the historic sign in conformance shall constitute grounds for rescinding the sign exception.

PLW0923-12

July 7, 2014

TO: Clay Philips, City Manager
VIA: Charles Grimm, Assistant City Manager
FROM: Barbara Redlitz, Director of Community Development *BRK*
SUBJECT: Fees Related to Historic Resources

This memo responds to direction from the June 11, 2014 City Council meeting to provide information regarding the application fees related to historic resources. Objections have been raised by the Historic Preservation Commission (HPC) members who feel the new fees are a disincentive to historic preservation; the HPC has requested the new fees be rescinded.

Background:

The City Council adopted a Historic Preservation Incentives Program in 1992 (Resolution 92-409). The program granted waivers for specific Building and Plot Plan fees, reimbursement for improvements and parking incentives to encourage preservation efforts. Historic preservation processing fees were first adopted by Resolution 2004-132 effective May 12, 2004, including fees for Certificate of Appropriateness (\$35), Local Register (\$240) and Mills Act (\$345). These fees were subsequently rescinded by Resolution 2005-30 effective February 2, 2005 in response to concern that the fees could create a disincentive for preservation efforts.

Based on Council's direction in 2013 to move towards full cost recovery, staff proposed reinstating the historic preservation fees as part of the annual City fee update. The City Council adopted an updated fee schedule effective September 30, 2013, which included reinstatement of the three fees pertaining to historic resources as described below:

1. Certificate of Appropriateness fee (\$104) - When a property owner wants to make improvements to a historic property, the code requires a Certificate of Appropriateness (an administrative review of the improvements, to make sure they are consistent with the historic character and design guidelines). The fee is intended to cover staff time (estimated at one to two hours per application) to cover meetings with the applicant, site visit, evaluation of the request, preparation of the certificate, and records management. In reality, staff probably spends more than two hours per case, but feels the current fee is reasonable.
2. Local Register fee (\$312 plus \$300 noticing fees) - A Local Register listing is a voluntary measure initiated by the property owner, recognizing a resource that warrants protection due to its outstanding historic, cultural, architectural, archaeological or cultural value. The process involves public hearings before the

HPC and City Council. The fee is intended to partially offset staff time associated with the tasks described above, plus staff report preparation, public hearing and noticing costs for two hearings.

- 3. **Mills Act Contract (\$312)** – A Mills Act contract is a voluntary contract initiated by the property owner whereby the owner is given a reduction in property tax assessment based on an agreement to provide regular maintenance and make improvements to the structure and the site. A contract also requires review by the HPC and City Council, which involves preparation of a staff report but does not include any public noticing requirements, so noticing costs are excluded.

The volume of historic preservation applications has remained steady and actually has increased since the reinstatement of the fee effective on September 30, 2013, although the increase may be attributable in part to the improved economic conditions. The number of applications processed by the Planning Division is summarized below:

Application Type	2012	2013	2014 (Jan.- June)
Certificate of Appropriateness	37	45	31
Local Register	1	1	0
Mills Act	1	1	1

The HPC indicates that property owners in the Old Escondido Neighborhood do not understand why they are required to pay a fee to improve their property. Some HPC members state that many owners are opting to make improvements without getting a Certificate of Appropriateness, which they feel causes serious consequences as far as maintaining the historical integrity of the Historic District.

Options:

The City Council could rescind the fees as an incentive to historic preservation efforts; modify the fees based on further study; or retain the fees. The annual fee update (currently scheduled for January 2015) would be an appropriate time to consider any revisions unless Council determined that more immediate action was warranted.

Permit Processing Fee Waivers for Targeted Commercial Areas

The South Escondido Boulevard (SE) and East Valley Parkway (EV) Commercial Corridors, the Downtown Specific Plan Area (SP) and the Business Improvement District (BID)*

The following processing and permit fees will be waived to encourage improvement and enhancement of existing and expanding businesses located in the above areas:

- Minor Plot Plan Review - Up to \$250
- Plan Project Review - Up to \$200
- Landscape Plan Check - Up to \$250
- Sign Permit - Up to \$25
- Design Review Fee - Up to \$100
- Engineering/Public Works Department Encroachment Permit - Up to \$100
- Building Division Sign Permit Fee - Up to \$50
- Building Division Awning Permit Fee - Up to \$100

Criteria for granting the waivers:

- The cumulative fee waiver for any single business shall not exceed \$500
- Fee waivers shall involve exterior (street visible) improvements only
- Waivers for new construction shall be limited to additions and expansions to existing businesses

*Please contact the Planning Division if you have any questions 760-839-4671.

