

***Historic Preservation Commission
Meeting Minutes of December 20, 2011***

Chairman Shidler called the meeting to order at 5:00 p.m. Present: Commissioners Michelle Sanchez and Carolina Luna, Vice Chair Barry Milofsky, and Chairman Wally Shidler. Absent: None. Also present: Planning Manager Eric Garcia, Senior Planner Albert Fontanez, Historic Preservation Intern Carli Chauvin, and Recording Secretary Genny Ochoa.

Minutes of the meeting held on October 18, 2011

Motion by Vice Chair Milofsky, seconded by Commissioner Sanchez, to approve the minutes of the meeting held on October 18, 2011, as presented. The motion carried.

Public Appearances

None.

Continued Public Hearings

- A. Case No. 11-04 HRD: A resolution recommending to the City Council the designation of 5610 Soto Street (APN: 6310-015-024) as a Historic Resource for Placement on the Huntington Park Historic Register.

Planning Manager Garcia stated Case No. 11-04 HRD had been continued from October 18, 2011, so that the applicants and their legal counsel could meet with staff regarding the proposed historic designation of the subject property. Mr. Garcia added that on November 29, 2011, the City Attorney and City staff met with the property owners and their new legal counsel, Ralph M. Weiss & Associates, to discuss a temporary alternative to the proposed historic designation of 5610 Soto Street. Mr. Garcia referred to correspondence from Ralph M. Weiss dated December 14, 2011, which summarized the meeting discussion and reiterated the property owners' proposed alternative to the historic designation of the property. Mr. Garcia stated that Mr. Weiss was present to address the Commission regarding the applicants' proposal and to continue discussion of Case No. 11-04 HRD.

Chairman Shidler declared the public hearing open and called for those wishing to speak in favor of or against Case No. 11-04 HRD. Mr. Ralph M. Weiss (23975 Park Sorrento, Suite 200, Calabasas, CA 91302) came forward and stated that although the property owners appreciate the "Streamline Moderne" architecture of the building at the subject property, the building consists of small offices in an area which does not have demand for office uses and therefore is not tenable for such uses. Mr. Weiss stated that the property owners wish to make improvements to the building to make it more marketable for commercial/industrial uses and added that they were "talking about a couple of years before doing anything." Mr. Weiss stated that they would like to wait until April 2014, when the current leases expire to meet with staff to discuss potential property improvements; and requested the removal of the City's proposed designation from the Commission calendar until such time. Mr. Weiss proposed that the City and property owners enter into a covenant and agreement "not to seek any demolition permit for the property prior to an agreed upon date following expiration of the existing leases."

Mr. Weiss added that the property owners wanted to avoid a costly litigation “over the constitutionality and enforceability of the City’s Historical Designation Ordinance.” Mr. Weiss requested the removal of the proposed designation from the Historic Preservation Commission calendar until the current property lease agreements expire to allow the property owners and City staff to reach an agreement of mutual benefit.

Vice Chair Milofsky stated that the nomination for historic designation of the subject property did not apply to the interior of the buildings and questioned the need to consider the request by the property owners’ legal counsel to remove the recommended designation from the Commission calendar.

Mr. Weiss stated that the property’s insurance carrier had informed the applicant that the insurance policy on the property would not be renewed if the property were to be designated a historical resource; and added that even if insurance could be obtained, the rates would not be competitive to those of properties which have not been designated as historic resources.

After a discussion and with no one else coming forward to speak in favor of or against Case No. 11-04 HRD, the public hearing was closed. Vice Chair Milofsky made a motion that staff work with the property owner in amending and refining the nomination to minimize the impact to the proposed historic designation of the building. Chair Shidler amended the motion, seconded by Commissioner Sanchez, that the City Attorney review the proposed covenant and agreement to consider its approval by the City Council for recordation against the subject property, as requested by the property owners and their counsel. The motion carried.

Public Hearings

None.

New Business

A. Discussion and/or action of a Street Tree Removal Policy

A discussion was held. Senior Planner Fontanez stated that because a City ordinance is a law of the municipal code and a policy serves only as a guide to implement a desired task, an ordinance is more enforceable than a policy.

After the discussion, Vice Chair Milofsky volunteered, and Commissioner Sanchez volunteered as alternate, to work with staff in developing a Street Tree Removal Policy addressing clear direction on what constitutes a “historic tree” and protection, maintenance and removal criteria of street trees, and historic designation of street trees. Staff will present the draft policy at a future Commission meeting.

Subjects Presented by Historic Preservation Commissioners

Commissioner Sanchez requested a report at a future Commission meeting on the number of churches/denominations in the City.

Information Items

None.

Identification of Items in Progress

None.

Closed Session

None.

Adjournment

There being no further business, Chairman Shidler adjourned the meeting at 5:53 p.m.

ATTEST:

Chairman

Secretary