



City of Arts & Innovation

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

CERTIFICATE OF APPROPRIATENESS STAFF REPORT

AGENDA ITEM NO.: 1

WARD: 5

CULTURAL HERITAGE BOARD HEARING DATE: July 16, 2014

I. CASE NUMBER(S): P14-0578

II. PROJECT SUMMARY:

- 1) **Proposal:** Proposed Certificate of Appropriateness request by the City of Riverside Public Works Department to keep a new concrete sidewalk and driveway approach that replaced an existing asphalt sidewalk and driveway approach, although approved plans called out like-for-like asphalt replacement in the right-of-way in front of the Robert Bettner House, which is City Landmark #59, located in the R-1-7000, Cultural Resources overlay zone.
- 2) **Location:** 7995 Magnolia Avenue, located 650 feet west of Jefferson Street
- 3) **Applicant:** Ryan O'Connell
City of Riverside Public Works Department
3900 Main Street
Riverside, CA 92522
- 4) **Case Planner:** Teri Delcamp, Historic Preservation Senior Planner
(951) 826-2117
tdelcamp@riversideca.gov

III. RECOMMENDATION:

That the Cultural Heritage Board:

1. **DETERMINE** that Planning Case P14-0578 constitutes a project that is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15331 of the CEQA Guidelines; and
2. **APPROVE** Planning Case P14-0578 based on the findings outlined in the staff report and summarized below, thereby issuing a Certificate of Appropriateness for the project and allowing the recently poured concrete sidewalk and driveway approach to remain:

FACTS FOR FINDINGS: (From Section 20.25.050 of the Riverside Municipal Code)

The Board and Historic Preservation Officer shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.

FINDINGS: The application proposal is consistent or compatible with the architectural period and the character-defining elements of the historic building.

FACTS: The project complies with this finding. The existing asphalt sidewalk was not original to the construction period of the Robert Bettner House. While historically there would have always been an area to walk along the front of the property adjacent to Magnolia Avenue, a formal sidewalk was not present until the late 1970s or early 1980s according to the current owner. At the time of installation, choices of materials were asphalt or brick pavers, and just as easily could have been concrete as evident at other properties along Magnolia Avenue. The project, as implemented, preserved the alignments of the sidewalk and driveway approach, thus not increasing the amount of hard surfaces and still protecting existing site and right-of-way trees. Concrete is a typical and common material used for historic properties and the pour, scoring and finish are consistent with the adjoining sidewalks on both sides of the property.

FINDINGS: The application proposal is compatible with existing adjacent or nearby Cultural Resources and their character-defining elements.

FACTS: The project complies with this finding. The project, as implemented, is consistent with the properties on both sides of the subject site and does not affect any other Cultural Resources.

FINDINGS: The colors, textures, materials, fenestration, decorative features and details, height, scale, massing and methods of construction proposed are consistent with the period and/or compatible with adjacent Cultural Resources.

FACTS: The project complies with this finding. The project, as implemented, represents a change in material from asphalt to concrete. However, the concrete and the way it was installed is compatible with and the Robert Bettner House and consistent with the sidewalks and driveways at many other Landmark properties on Magnolia Avenue and elsewhere in the City.

FINDINGS: The proposed change does not adversely affect the context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings.

FACTS: The project complies with this finding. Since the asphalt sidewalk and drive approach were not original to the construction period of the home, are minor feature of the site, and preserve the mature trees that are historic to the site, there is no possibility that the project will adversely affect the context of the site considering the above factors.

FINDINGS: The proposed change does not adversely affect an important architectural, historical, cultural or archaeological feature or features.

FACTS: The project complies with this finding. The project will not adversely affect any important architectural, historical, cultural or archaeological feature or features.

FINDINGS: The project is consistent with the Citywide Residential Historic District Design Guidelines and the separate guidelines for each Historic District.

FACTS: The project complies with this finding. The project complies with Chapter 8, Design Guidelines for Rehabilitation, Repairs & Additions to Historic Residential Buildings. Sidewalks and driveway paving materials are to be compatible with the character of the home. If the asphalt were historic and original to the site, it would have been appropriate to replace it like-for-like to avoid loss of historic fabric and as the simplest means of ensuring compatibility. However, the asphalt was not original to the site. Concrete was a material that was already present for part of the driveway since approximately 1940. Both concrete and asphalt are listed in the Design Guidelines as appropriate paving materials, depending on the site's characteristics. The change from asphalt to concrete was done in a way that matched existing locations and alignments so that the existing mature trees were preserved and remain as important site features.

FINDINGS: The project is consistent with the Principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

FACTS: The project complies with this finding. The project comprises a Rehabilitation project because it represents a change in material for a feature at a Landmark property. Based on the above finding for consistency with the Citywide Residential Historic District Design Guidelines, the project is also consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. No historic fabric has been lost; important site features (trees) remain as the existing sidewalk and driveway approach locations and alignments were retained; the sidewalk and driveway could be removed in the future and not result in any loss of integrity to the site; and the new material is compatible with and will not adversely affect the integrity of the Landmark Robert Bettner House site as a whole.

IV. BACKGROUND/HISTORY:

The City of Riverside Public Works Department (PWD) approached Cultural Heritage Board staff for review and comment on the proposed Magnolia Avenue paving repair project in 2013. The project boundaries were along Magnolia between Arlington and Jackson. This boundary included rights-of-way within some historic districts and survey areas, as well as adjacent to some individually designated properties. All of the proposed repair scope and specifications were deemed not to require a Certificate of Appropriateness with the exception of four properties. Those four properties (at Palm Drive/Magnolia Avenue; 7995 Magnolia Avenue; 7304 Magnolia Avenue; and 7101 Magnolia Avenue) required an Administrative Certificate of Appropriateness (P13-0792) because the plans were either a like-for-like replacement at a designated Landmark,

or were slightly changing existing configurations within an existing, eligible or potential historic district or neighborhood conservation area.

The property at 7995 Magnolia Avenue is the Robert Bettner House, which was designated as City Landmark #59 in 1983. The Bettner House is the only one along Magnolia that has had a unique sidewalk layout and an asphalt sidewalk/driveway approach material. The resolution designating the historic Landmark specifically calls out all exterior surfaces of house; the natural finish of all unpainted interior floors, baseboards, door surrounds, doors, window frames, window sashes, picture moldings, mantelpieces, and tile hearths throughout the house interior; the site's landscape pattern; the exterior surfaces of the carriage house; and the stalls and caretaker's apartment in the carriage house. The "landscape pattern" is further described in City files as having "style elements of an 'English garden,' with a free-form hedge-lined driveway, numerous trees, and concrete birdbaths scattered throughout. The rear yard has a terraced brick patio and 'tattersall' brick pattern walkways." CHB staff has interpreted "landscape pattern" to mean that the alignment and material of the sidewalk and driveway approach should be retained. Moreover, replacing the asphalt like-for-like allowed for a simpler, administrative review process for the project.

As originally proposed for 7995 Magnolia, the existing asphalt sidewalk was to be replaced with concrete and the existing non-standard driveway approach was to be replaced with a City standard concrete approach that includes wider flare wings at the sides of the approach. CHB staff had indicated that such a change would require CHB review as it would not replace existing like-for-like. The PWD ultimately decided to change the project to require the asphalt to be replaced like-for-like. CHB staff then conditionally approved P13-0792 with the associated project exhibit on November 1, 2013 (Exhibit 3). Part of the approval conditioned that the existing material of the sidewalk and driveway approach for the Robert Bettner House at 7995 Magnolia was to be replaced like-for-like with asphalt. CHB staff confirmed that the improvement plans for the project included this stipulation before the project began construction.

V. DETAILED PROJECT DESCRIPTION:

According to the PWD, when the contractor reached the subject portion of the project, they inadvertently misread the plans and replaced the existing asphalt sidewalk and driveway approach with concrete.

The attached current project request (Exhibit 4) describes how the work was done, why the PWD is requesting to be able to keep the work as is, and shows "before" and "after" photographs. The PWD noted the following attributes and benefits of the work: The work was done well and according to concrete specifications. The new driveway approach and sidewalk match the existing dimensions and do not change the landscape pattern in front of the property. The only difference is that the material has changed from asphalt to concrete. The concrete will last a long time; will require less maintenance than asphalt; and will be easier to clean than asphalt. The concrete is also consistent with the rest of Magnolia Avenue.

The owners of the house support the PWD request and submitted a letter to that effect (see Project Analysis and Public Notice sections below as well as Exhibit 5).

PROJECT ANALYSIS:

- **Compliance with section 20.25.050 of the City of Riverside Municipal Code:**

Section 20.25.050 of Title 20 in the Municipal Code outlines the findings and criteria necessary to approve a Certificate of Appropriateness. The project is very minor in scope; however, because the property is a designated Landmark, Title 20 allows only limited purview for administrative review of cases by CHB staff. The threshold is the like-for-like replacement of features, so in this case, CHB staff did not feel comfortable approving a change in material and referred this project to the CHB.

The correspondence from the owner (Exhibit 5) in response to the notice mailed for the meeting indicates that the sidewalk itself was a fairly recent installation in the late 1970s or early 1980s. Also, the driveway itself had been partially changed to concrete just beyond the asphalt driveway approach in about 1940. While there would have been an area to walk along the street in front of the home, the sidewalk itself is not historic. The alignment is intended to avoid and preserve the historic site landscaping which includes mature trees on the site and in the right-of-way.

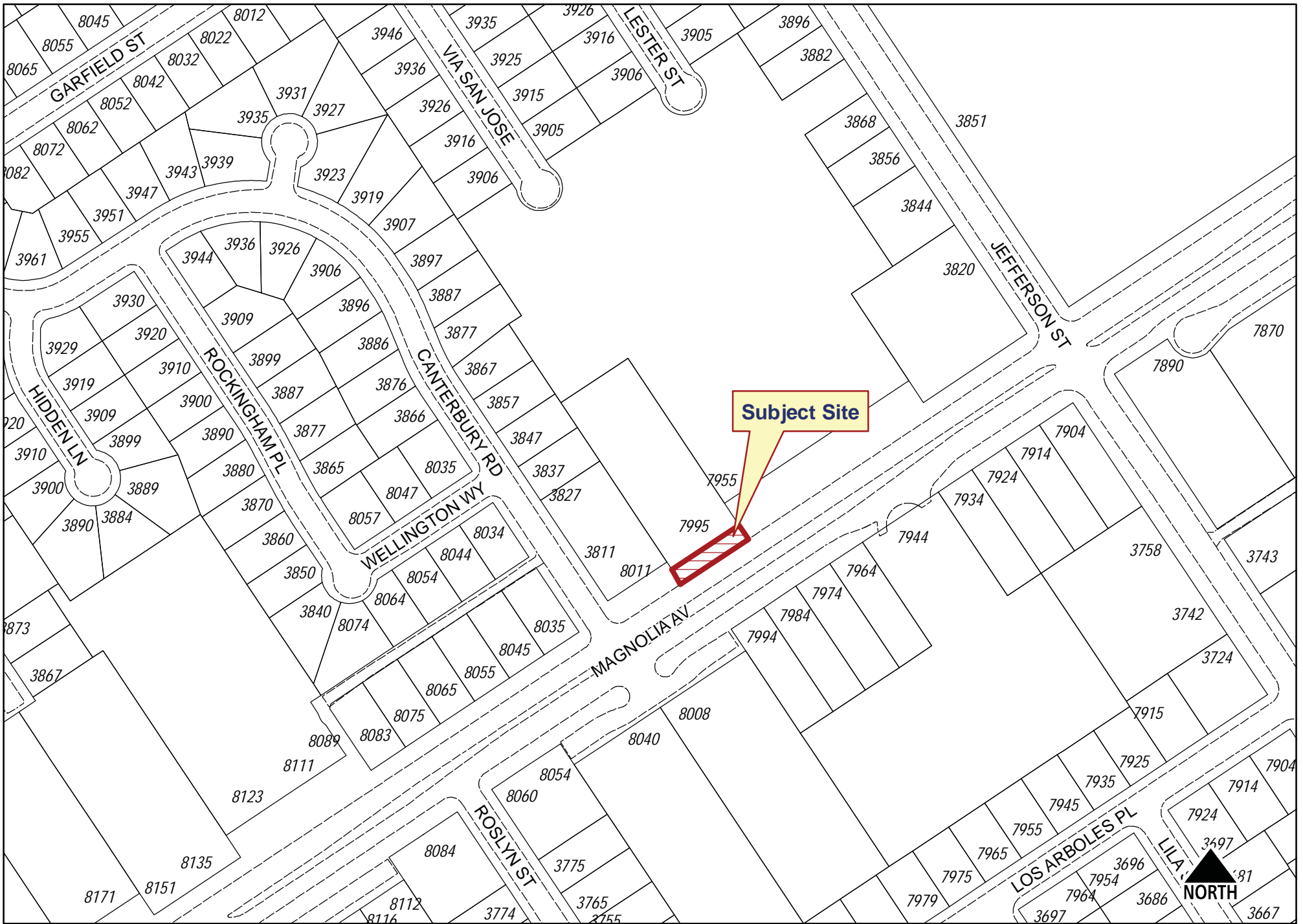
Based on all of the above and the PWD's reasons for retaining the concrete that was installed, staff supports the request based on the proposed findings and is recommending approval.

VI. PUBLIC NOTICE AND COMMENTS:

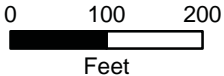
Public notices were mailed to adjacent property owners. The owners of the property at 7995 Magnolia Avenue submitted a letter in support of keeping the concrete sidewalk and driveway approach (see Exhibit 5). No other written comments have been received to date.

IX. EXHIBITS:

1. Location Map
2. Aerial Photograph
3. Previously Approved Project Exhibit (P13-0792)
4. Current Project Exhibit
5. Letter of Support from Owners of 7995 Magnolia Avenue

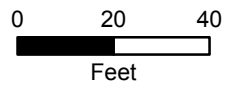


P14-0578, Exhibit 1 - Location Map





P14-0578, Exhibit 2 - 2012 Aerial Photo

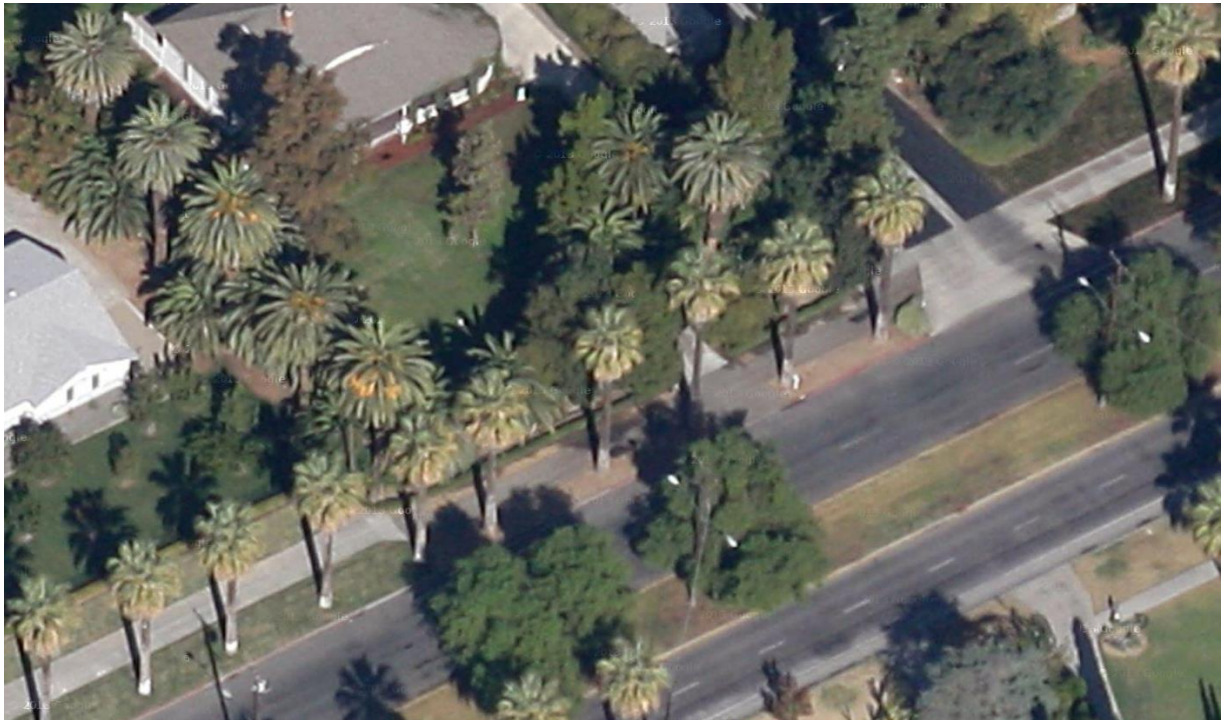


P14-0578, Exhibit 3 - Previously Approved Project (P13-0792)

Cultural Heritage Certificate of Appropriateness Magnolia Avenue Exhibits

Exhibit B- 7995 Magnolia Avenue (Historic Landmark Bettner House)

- **Comment:**
 - “Sheet 4, fronting 7995 Magnolia (Historic Landmark Bettner House): proposed replacement of asphalt sidewalk with concrete and replacement of existing non-standard driveway and approach with City Standard. While we understand that the owner is amenable to this change, the resolution for the historic Landmark designation specifically calls out the site’s landscape pattern although we have purview over these elements in any event, as with the Heritage House drive approach. I don’t know that we would be able to support these changes and we would recommend like for like replacements. If you pursue the changes, then we would need existing configuration detail with a proposed configuration detail overlay for the drive approach and existing photos to show extent of change for the COA review.”
- **Response:**
 - “I was able to speak with Mr. Zimmerman this afternoon (9/17/13) about replacing the driveway and sidewalk in-kind with asphalt rather than concrete. He has no problem with replacing in-kind. So given that, we are going to make the appropriate changes to the plans to replace the sidewalk and driveway in-kind at 7995 Magnolia Avenue.”
- **Existing Condition:**



P14-0578, Exhibit 3 - Previously Approved Project (P13-0792)

Cultural Heritage Certificate of Appropriateness
Magnolia Avenue Exhibits

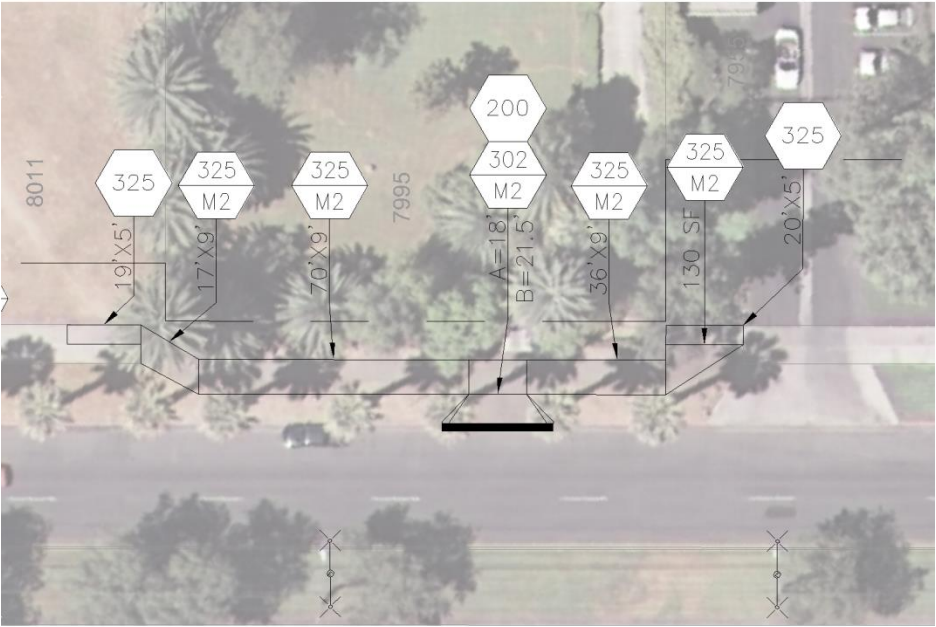
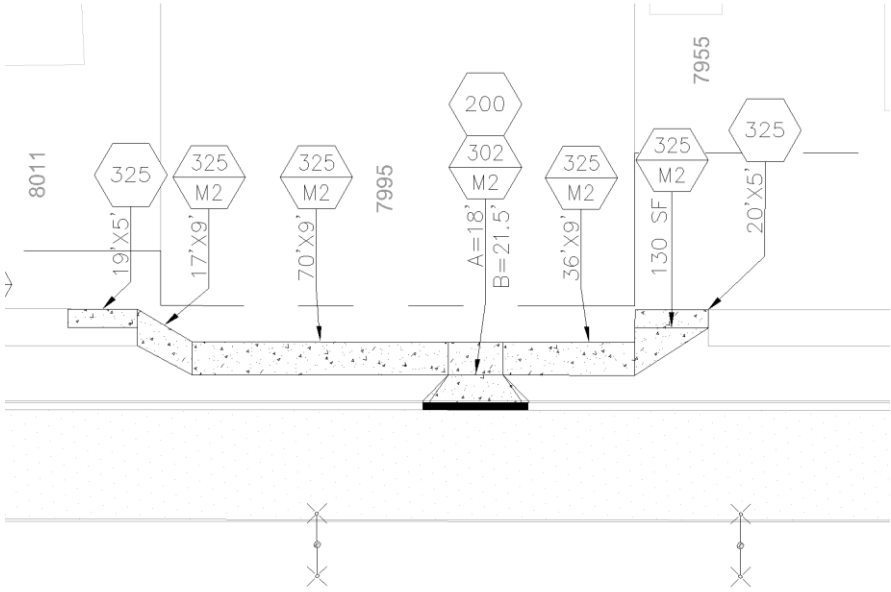
- Existing Condition (continued):



P14-0578, Exhibit 3 - Previously Approved Project (P13-0792)

Cultural Heritage Certificate of Appropriateness
Magnolia Avenue Exhibits

- Proposed Improvement:



P14-0578, Exhibit 4 - Current Project

Cultural Heritage Certificate of Appropriateness 7995 Magnolia Avenue (Historic Landmark Robert Bettner House)

- **Summary:**

- Riverside Public Works Department is proposing to keep a new concrete sidewalk (1,350 Sq ft.) along with a new concrete driveway (305 Sq ft.) that was installed at 7995 Magnolia Avenue. This property is the Historic Landmark Robert Bettner House. The resolution for the historic Landmark designation specifically calls out the site's landscape pattern which calls for an asphalt driveway and sidewalk in front of the property.

- **Issue:**

- The contractor on the Public Works paving project "Arterial Streets Maintenance Phase I, Magnolia Avenue (Jackson to Arlington)" replaced the existing asphalt driveway and sidewalk with a new concrete driveway and concrete sidewalk while the plans called out to replace with in-kind asphalt material. The new driveway and sidewalk match the existing dimensions and do not change the landscape pattern in front of the property. The only difference is that the material has changed from asphalt to concrete.

- **Resolution:**

- Riverside Public Works seeks approval from the CHB to keep the concrete driveway and sidewalk in front of 7995 Magnolia Avenue for the following reasons:
 - There are many benefits to keeping the concrete material rather than the asphalt material:
 - The concrete material used will last 50+ years with little to no maintenance. The asphalt material will last ~20 years, but will require maintenance every 5 years or so with a re-sealing.
 - The concrete material for the sidewalk and driveway matches the existing material that is used throughout Magnolia Avenue and provides a more aesthetically pleasing look.
 - The property in question has large palms and trees near the sidewalk. They leave a considerable amount of debris on the sidewalk. As far as maintenance, it is easier to clean concrete surfaces than asphalt surfaces.

P14-0578, Exhibit 4 - Current Project

**Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)**

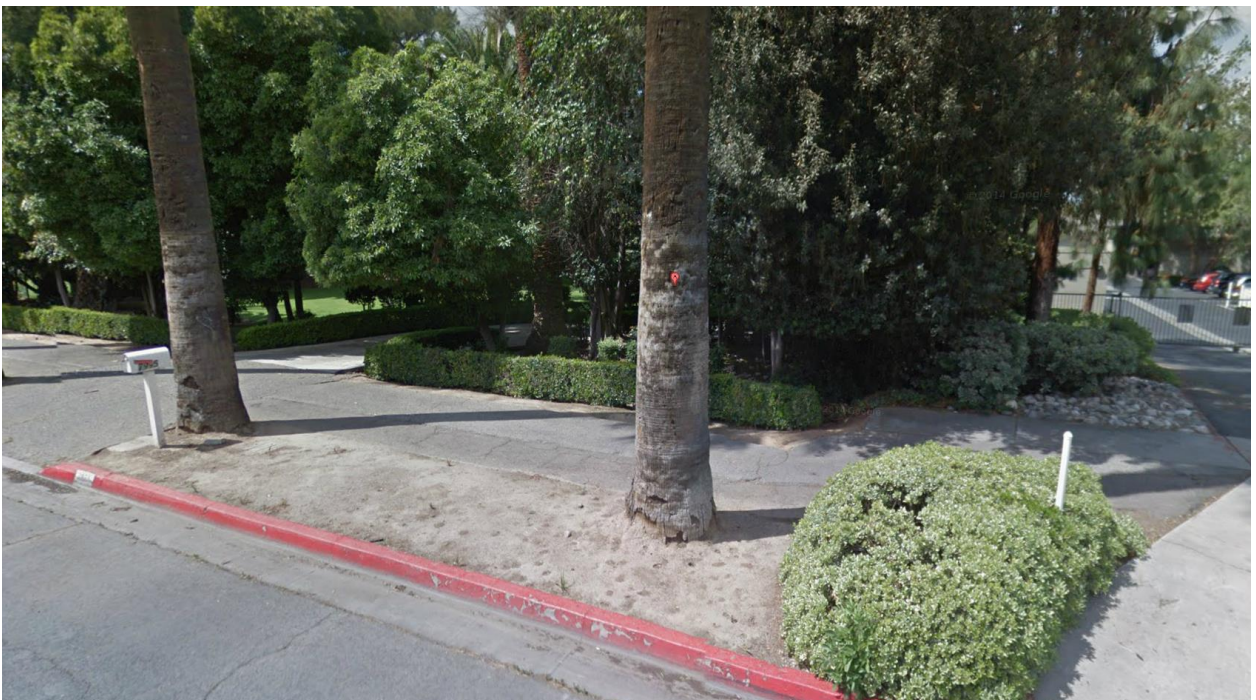
- **Previous Condition:**



P14-0578, Exhibit 4 - Current Project

**Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)**

- **Previous Condition (continued):**



P14-0578, Exhibit 4 - Current Project

Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)

- New Condition:



P14-0578, Exhibit 4 - Current Project

**Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)**

- **New Condition (continued):**



**Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)**

- **New Condition (continued):**



P14-0578, Exhibit 4 - Current Project

**Cultural Heritage Certificate of Appropriateness
7995 Magnolia Avenue (Historic Landmark Robert Bettner House)**



P14-0578, Exhibit 5 - Letter of Support

July 5, 2014

Teri Delcamp
Historic Preservation Senior Planner
City of Riverside, Planning Division
3900 Main Street
Riverside, CA 92522

Case Number P14-0578

Dear Ms. Delcamp:

My wife and I have owned the subject property at 7995 Magnolia Avenue since January 1975. Later that decade we requested the designation of the property as a City Landmark. In those times, the process was coordinated with Alan Curl, then with the Municipal Museum. The Robert Bettner House is notable for many reasons, among them the largely original setting, the traditional gardens and the preservation of the type of landscaping which once graced many blocks of Magnolia Avenue. 7995 remains a special place, not merely an architectural relic.

No sidewalk existed at this location until the late seventies or early eighties. A decision was then made to create a "Class 1" bicycle lane and to simultaneously incorporate a sidewalk. Authenticity or originality therefore had little or no bearing on the selection of asphalt as the paving material. We inquired about the possible use of brick paving; even several decades ago, the cost (which we would have borne) was prohibitive for us.

Presumably, the material which would least alter the historic appearance of the Magnolia frontage at this location would be something on the order of stabilized decomposed granite. But Ramona High School is just a block away, the bike lane and sidewalk are heavily traveled. There would inevitably be concerns regarding long-term upkeep and pedestrian safety. Would there be any practical surface treatment for the concrete that might be more in keeping with the historic setting?

The asphalt approach to the driveway was likely a relic from the sixties, it contrasted somewhat inappropriately with the concrete driveway. The current layout of the front portion of the driveway dates from the time of Mr. and Mrs. Tudor Wall (around 1940).

All things considered, we support the request by the Public Works Department for a Certificate of Appropriateness to retain the new concrete sidewalk, bicycle lane and driveway approach at 7995 Magnolia Avenue. We do appreciate the careful attention to issues of preservation of Riverside's wonderful inventory of historic buildings and places. Incidentally, it is probable that our Landmark #59 will in the future be passed on to California Baptist University for safekeeping.

Regards,

Dr. and Mrs. Gilbert Zimmerman