

TO: JAMES L. APP, CITY MANAGER

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR  
APN: 008-321-009

SUBJECT: MISCELLANEOUS 14-001 (MACKLIN)

DATE: MARCH 4, 2014

---

Needs: For the City Council to consider a request by Walter and Claire Macklin, to remove the house located at 1527 Park Street from the City's Historic Resources Inventory.

- Facts:
1. The property is located at 1527 Park Street.
  2. The house was built in 1893 and has been listed in the City's Historic Resource Inventory (HRI). The HRI indicates that the property is eligible for local and state designation as an individual Historic Landmark.
  3. The Macklins are requesting that the house be removed from the HRI, as a result of the unreinforced masonry house having suffered significant structural damage in the 2003 San Simeon earthquake. Their intent is to demolish the house in the future.
  4. Section 21.50.120, of the Historic Preservation Ordinance, allows the City Council, upon recommendation from the Planning Commission, to rescind any designation of a historic landmark, subject to the Council making the finding that the building no longer meets the designation criteria due to:
    - 1) New information that compromises the significance of the property; or
    - 2) Destruction of the Historic Landmark, Point of Interest or Contributor to a Historic District through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare; or
    - 3) The demolition, relocation, or removal of the Historic Landmark, Point of Interest or Contributor to a Historic District.
  5. The Macklins have provided a report prepared by John Kudla, P.E. of JK Engineering that evaluates the current condition of the unreinforced masonry building. The report acknowledges Section 21.50.120.2 of the Historic Preservation Ordinance regarding Rescission of a Designation, and concludes the following:

*"The 2003 San Simeon catastrophic earthquake and subsequent accelerated material deterioration have irreversibly damaged the supporting red brick structure and rendered the structure a hazard to public safety". It is the professional opinion of this office that the building reacted as expected during the '03 earthquake and protected occupants at the time. However, in doing so resulted in the destruction of the most authentic historic point of interest (the exterior red brick walls). As such, and as outlined in the referenced city ordinance, we recommend the rescission of "historic landmark" designation for this project". (See Report, Attachment 1).*

6. On February 11, 2014, the Planning Commission reviewed the request and on a 5-1-1 vote, recommended that the City Council deny the request to remove the property from the list of historic resources. Its recommendation was based on not having sufficient evidence regarding the structural integrity of the building on which to base a finding that a catastrophic event has rendered the building a hazard to the public health, safety, or welfare.
7. Members of the public requested that the house remain a historic landmark and be repaired to a safe condition. The speakers included a couple who indicated they were interested in purchasing the house and restoring it.
8. Mr. Macklin indicated that he is in escrow with a prospective purchaser; the purchase is conditioned on the property being removed from the Historic Resources Inventory so that the home can be demolished and a new house constructed.
9. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Negative Declaration (ND) was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the project may be approved with a Negative Declaration.

**Analysis  
and**

**Conclusions:**

A property may be removed from the HRI in two ways: (1) by allowing the Historic Landmark to be removed from the property by demolition, or (2) by rescinding the property's designation as a Historic Landmark.

JK Engineering's Report concluded that the building suffered irreversible structural damage as a result of the 2003 San Simeon earthquake, which destroyed the characteristics leading to the property's designation as a historic

landmark. If the Council agrees with this conclusion, Section 21.50.120(b) would allow the structure's removal from the HRI.

Alternatively, the Council could agree with the Planning Commission and determine that additional study is needed by an Engineer of the City's choice to justify removal of the building from the HRI. Additional study could include:

- a. Preparation of a structural analysis by another engineer (i.e. a "second opinion") that also estimates the costs of repairing the structural damage (which JK Engineering's report did not do) and bringing the building up to current codes if required by the repair work; and/or
- b. Preparation of an Appraisal of the property that yielded estimated property values before and after restoration of the building to current codes.

An Initial Study was prepared for this rescission request, and it was determined that removal of this structure would not be a significant impact to a cultural resource, based on the Engineer providing the report that indicates that the house has been irreversibly damaged, and is a hazard to public safety.

Based on the above, the City Council could make the finding that:

*Destruction of the Historic Landmark, through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare.*

Such a finding would allow the property to be removed from the HRI.

**Reference:** Paso Robles Historic Preservation Ordinance and CEQA.

**Fiscal Impact:** None.

**Options:** After opening the public hearing and taking public testimony, the City Council take one of the actions listed below:

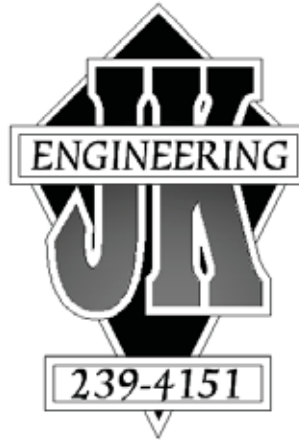
- a. Uphold the Planning Commission's recommendation, table the item, and take the following actions: (1) direct the applicant to provide a report from another engineer of the City's choice, at the cost of the applicant, that: (a) identifies the work necessary to repair all structural damage and to comply with current codes, where required as a condition of making the structural repairs; (b) estimates the costs of making all repairs necessary to make the building structurally safe and

compliant with all building and fire codes pertinent to/triggered by the structural repairs; (2) using the new structural report, prepare an appraisal report that estimates the values of the property prior to and following the specified repair work; and (3) bring back the information to a future City Council hearing for review and subsequent decision.

- b. Find that the information contained in the JK Engineering Report is sufficient and by separate motions:
  1. Adopt the attached Resolution approving Negative Declaration;
  2. Adopt the attached Resolution allowing the house located at 1527 Park Street rescinding the designation as a Historic Landmark, thereby removing the property from the City's Historic Resource Inventory, based on destruction of the Historic Landmark, through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare.
- c. Amend, modify, or reject the above-listed actions.

**Attachments:**

1. JK Engineering Report
2. Resolution to approve a Negative Declaration
3. Resolution to Rescind Designation as a Historic Landmark
4. Affidavit



December 23, 2013

To: City of Paso Robles  
Dept. of Building and Planning

Subject: Single story unreinforced masonry (URM) brick residence located at 1527 Park St., Paso Robles.

Re: Structural observations of the existing building vertical and lateral force resisting system, as well as current material evaluation of supporting URM brick units.

As requested by the building owner, Mr. Walt Macklin, and as discussed with Mr. Darren Nash of the city of Paso Robles, our office has provided on-site visual structural observations of the above referenced project and provide the following evaluation correspondence for your review and action. The intent of this observation process is to determine the feasibility of providing a seismic retrofit engineering design, in accordance with the city of Paso Robles municipal code, based on the current condition of the existing structure. Although no strength testing was performed at this time, sufficient materials were exposed to allow for a proper representation of existing construction and its structural condition.

The subject property is a single story residence listed on the “Historic Building Registry” located on a flat lot on the west side of Park Street near downtown. The main roof construction is wood framed (2x rafters/ridge/hips) “Dutch gable” style with composition shingles, and a partial wrap-around porch at the entry and rear are also framed with 2x rafters “shed framed” from the exterior wall to a post and beam support line. The exterior walls are (2) wythe unreinforced red brick masonry spanning approximately 11’-0” from finish floor to ceiling/roof, and the interior walls are 2x wood studs with lath and plaster covering. The floor is also wood framed 2x floor joists with the finish floor elevation +3’-0” above existing exterior grade, the floor is supported on (2) wythe URM “stem walls” extending approximately 18” into grade. Refer to the attached KEY PLAN for roof lines, floor plan, wall layout, reference notes and grid. Although the rear/side porch is clearly a more modern addition which is not original, identifying historical features of the original portion of this residence would appear to include (but not limited to):

- A) Red brick exterior architectural appearance.
- B) Floor plan layout and interior trim features.
- C) Windows/doors and associated wood trim/jams.
- D) Eave/overhang ornamental architecture trim.
- E) Front wood framed porch

Initial observations reveal immediate concerns with the current condition of the exterior bearing (roof and ceiling supporting) URM walls. The (2) wythe walls ((2) layers of 2"x4"x8" red brick totaling 9" thick) have significant cracks extending through the full width of the wall at essentially every window and door opening (see picture group 1). These are clearly stress cracking which likely occurred during the 2003 San Simeon Earthquake, a major seismic event which significantly affected the entire downtown Paso Robles district. The cracks are "diagonal" at each corner of the window/door and extend away from the opening. These are indicative of shear overstress or "pier rocking" which occurs as the structure resists lateral forces. Furthermore, the cracks have "opened" or separated (see picture group 2) as to expose the internal portion of the (2) wythe URM wall to weather which has accelerated the deterioration of the bonding mortar and individual brick units. (Refer to discussion below for material evaluation). Supplemental diagonal cracking was also observed in several locations from the floor line down the supporting stem wall towards the bearing foundation (see picture group 3), as well as in the basement sidewalls.

However, having identified and noted the wall cracking indicated above, of a more significant concern to our office and the ability to provide a proper seismic retrofit is the physical condition of the individual red bricks and bonding mortar (see picture group 4). There are several contributing factors to this structural deterioration which are briefly discussed below:

1. **The age of the mortar and brick materials;** The residence was constructed over 100 years ago and the exterior is exposed brick without paint or plaster. As such, the mortar and brick have been significantly weathered and weakened due to the constant temperature cycles and exposure to rain and freezing. The mortar can be removed from between the bricks simply by scrapping the joint with a finger, and the exterior surface of the bricks has deteriorated and individual bricks now have rounded edges rather than the original rectangle shape (see picture group 5).
2. **Lack of minimum material standards for brick or mortar at the time of construction;** Due to the lack of regulatory agencies, minimum material specifications, or required stress requirements, the quality and strength of bricks and mortar can vary significantly within different areas of the same wall. The raw materials (clay, sand, lime, etc.) were locally provided with proportions and construction implementation provided by the builder. In this particular structure we found a majority (more than 50% surface area) of the exterior exposed bricks and mortar literally turning back into clay dust and sand (see photo group 4). A seismic retrofit relies on a majority of the brick units maintaining a minimum compression strength, although the deteriorated mortar is allowed to be removed and replaced up to a depth of 1 ½" (this process is called 'pointing'), this repair cannot be provided with such significant deterioration of the existing wall prism.
3. **Lack of URM damage repair after the 2003 San Simeon Earthquake;** As discussed in the "initial observation" section of the report, this building sustained severe structural damage over 10 years ago during the San Simeon Earthquake. The lateral forces during the event resulted in

major shear stress failure of the URM red clay brick bearing walls which can be seen in the form of horizontal/diagonal cracks extending through the entire wall section. In addition, although not as visible, the bond between individual bricks and the bonding mortar has been lost resulting in a significant reduction of the shear stress capacity of the overall wall prism. The bond between mortar and brick is critical to the structural capacity of the wall and the ability to resist in-plane and out-of-plane lateral loading. Furthermore, since wall cracking and loss of mortar/brick bond was not repaired or otherwise mitigated, over the years it has allowed weathering and material deterioration to advance deep into the wall between brick layers (wythes) as noted in item #1 above (“age of mortar..”).

Based on our observations of the current state of the existing bearing wall material, as well as our knowledge of the governing URM retrofit code for the city of Paso Robles (Uniform Code for Building Conservation; UCBC), we submit the following;

- A. The significant lateral forces generated in the 2003 San Simeon Earthquake have caused catastrophic shear failure in the existing exterior URM walls rendering a majority of the wall surface area to be laterally unstable.
- B. Due to the material age, condition and lack of protection against exterior elements, a majority of the supporting URM brick walls will need to be replaced as the current deterioration is beyond repair. Pointing of the existing, in-situ, bricks is simply not feasible when the prism is breaking down into individual composite elements.
- C. Supporting the roof and exterior walls independently with a supplemental interior structure (frames/shotcrete...etc) will also not allow for the existing walls to remain as a “veneer” as the URM does not have sufficient strength to allow even the minimum required veneer tie to be effective.

Finally, as outlined in the city of Paso Robles “historic preservation ordinance” (dated February 2011) section 21.50.120.2 “Amendment or Recession of Designation” (attached), our office provides the following statement of conclusion:

The 2003 San Simeon catastrophic earthquake event and subsequent accelerated material deterioration have irreversibly damaged the supporting red brick structure and rendered the structure a hazard to public safety. It is the professional opinion of this office that the building reacted as expected during the '03 earthquake and protected occupants at the time. However, in doing so resulted in the destruction of the most authentic historic point of interest (the exterior red brick walls). As such, and as outlined in the referenced city ordinance, we recommend the rescission of “historic landmark” designation for this project.

Should you have any questions, or require further clarification on the items above, please contact my office at 805-239-4151.

Respectfully,

John Kudla, P.E.  
Owner





PICTURE GROUP #1

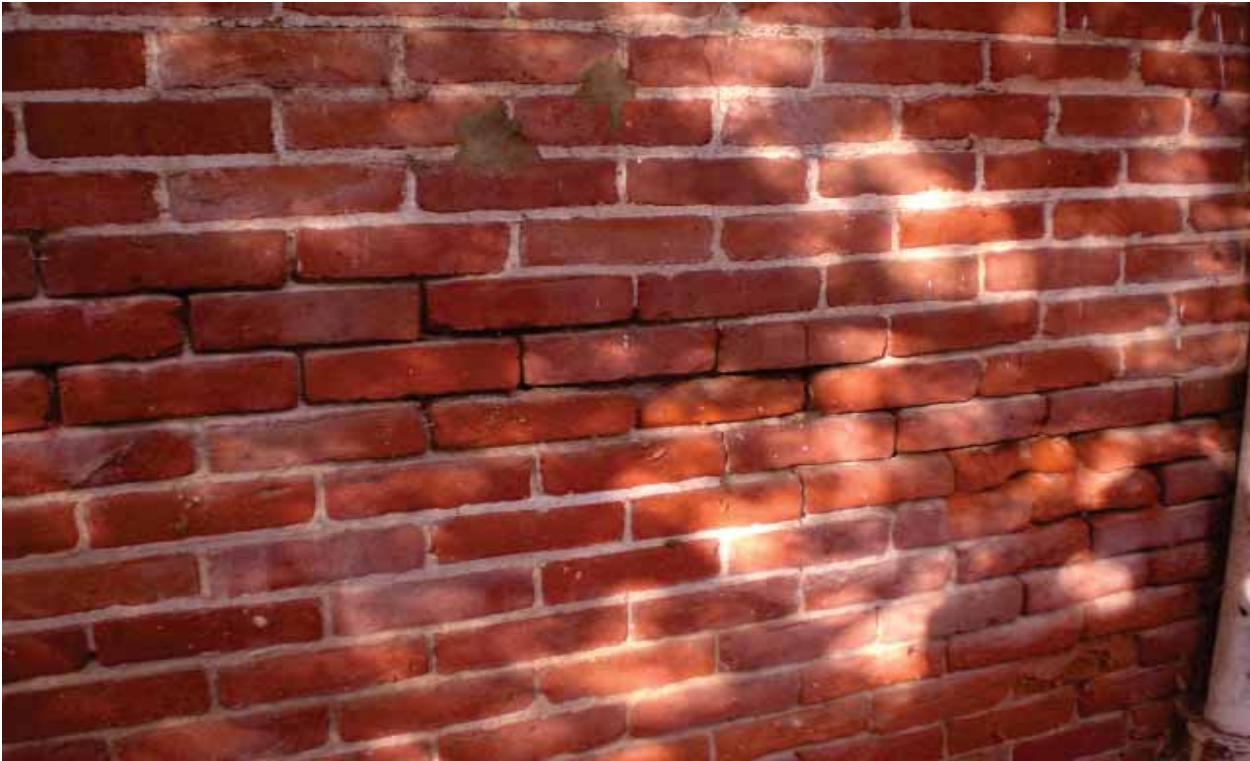




PICTURE GROUP #2



PICTURE GROUP #3





PICTURE GROUP #4



PICTURE GROUP #5



RESOLUTION NO. 14-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES APPROVING A NEGATIVE DECLARATION RELATED TO THE RESCINDING THE HISTORIC LANDMARK DESIGNATION FOR THE PROPERTY LOCATED AT 1527 PARK STREET (MACKLIN)

---

WHEREAS, Walter and Claire Macklin have provided an application requesting that the City Council rescind the designation of the property located at 1527 Park Street as a Historic Landmark; and

WHEREAS, the house was built in 1893 and has been listed in the City's Historic Resource Inventory (HRI), which indicates that the property is eligible for local and state designation as an individual historic landmark; and

WHEREAS, Section 21.50.120, of the Historic Preservation Ordinance, allows the City Council, upon recommendation from the Planning Commission, to rescind any designation of a Historic Landmark, subject to the Council making the finding that the building no longer meets the designation criteria due to:

- 1) New information that compromises the significance of the property; or
- 2) Destruction of the Historic Landmark, Point of Interest or Contributor to a Historic District through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare; or
- 3) The demolition, relocation, or removal of the Historic Landmark, Point of Interest or Contributor to a Historic District.

and;

WHEREAS, an Initial Study was prepared for this project (attached as Exhibit A), which concludes that the project as proposed will not have significant impacts on the environment; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on February 11, 2014 and the City Council on March 4, 2014 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination; and

WHEREAS, based on General Plan Land Use Designation, the 2003 General Plan Environmental Impact Report, information contained in the Initial Study prepared for this zoning modification, the staff report and testimony received as a result of the public notice, the City Council finds no substantial evidence that the project would have a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED:

1. That the above Recitals are true and correct and incorporated herein by reference.
2. That based on the City's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for Misc. 14-001, in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 4<sup>th</sup> day of March 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
Duane Picanco, Mayor

\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk

ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM  
CITY OF PASO ROBLES

**1. PROJECT TITLE:** **Miscellaneous 14-001 – Request to Rescind a Historic Land Mark Designation**

**Concurrent Entitlements:**

**2. LEAD AGENCY:** City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446

**Contact:**

**Phone:** (805) 237-3970

**3. PROJECT LOCATION:** 1527 Park Street

**4. PROJECT PROPONENT:** City Initiated

**Contact Person:** Darren Nash

**Phone:** (805) 237-3970

**Email:** dnash@prcity.com

**5. GENERAL PLAN DESIGNATION:** MU (Mixed - Use)

**6. ZONING:** T4-F (T-4 Flex)

**7. PROJECT DESCRIPTION:** Request to rescind the Historic Landmark designation from the property located at 1527 Park Street.

**8. ENVIRONMENTAL SETTING:** The house was built in 1893 and is listed in the City's Historic Resource Inventory (HRI). The HRI indicates that the property is eligible for local and state designation as an individual Historic Landmark.

The Macklin's are requesting that the house be taken off the HRI, as a result of the unreinforced masonry house having suffered substantial structural damage, much as a result of the 2003 San Simeon Earthquake. Their intent is to demolish the house in the future.

Section 21.50.120, of the Historic Preservation Ordinance, allows the City Council, upon recommendation from the Planning Commission, to rescind any designation of a Historic Landmark, subject to the Council making the finding that the building no longer meets the designation criteria due to:

4) New information that compromises the significance of the property; or

- 5) Destruction of the Historic Landmark, Point of Interest or Contributor to a Historic District through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare; or
- 6) The demolition, relocation, or removal of the Historic Landmark, Point of Interest or Contributor to a Historic District.

**9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** None



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

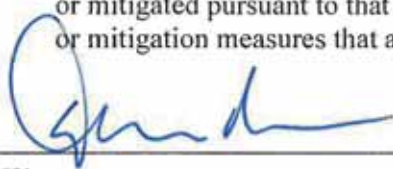
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature:



Date

2/4/14



**EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from ““Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significance

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	---	---	----------------------

**I. AESTHETICS:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-d):

This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**II. AGRICULTURE AND FOREST RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
--	---	---	---	----------------------

(as defined by Government Code section 5114(g))?

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. | Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-e): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Conflict with or obstruct implementation of the applicable air quality plan?<br>(Source: Attachment 5)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: Attachment 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. | Expose sensitive receptors to substantial pollutant concentrations?<br>(Source: Attachment 4)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Create objectionable odors affecting a substantial number of people? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion (a-e): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.				

---

**IV. BIOLOGICAL RESOURCES:** Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(Source: )

Discussion (a-f): This project consists of the removal of a house from the City’s Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**V. CULTURAL RESOURCES:** Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Discussion: The proposed project is a request that the City Council rescind the designation of the property located at 1527 Park Street as a Historic Landmark. The house was built in 1893 and is listed in the City’s Historic Resource Inventory (HRI), which indicates that the property is eligible for local and state designation as an individual Historic Landmark.

Section 21.50.120, of the Historic Preservation Ordinance, allows the City Council, upon recommendation from the Planning Commission, to rescind any designation of a Historic Landmark, subject to the Council making the finding that the building no longer meets the designation criteria due to:

- 1) New information that compromises the significance of the property; or

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	---	---	----------------------

- 2) Destruction of the Historic Landmark, Point of Interest or Contributor to a Historic District through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare; or
- 3) The demolition, relocation, or removal of the Historic Landmark, Point of Interest or Contributor to a Historic District.

A report prepared by John Kudla, P.E. of JK Engineering that evaluates the current condition of the unreinforced masonry building, and acknowledges Section 21.50.120.2 of the Historic Preservation Ordinance regarding Rescission of a Designation, and concludes the following:

*“The 2003 San Simeon catastrophic earthquake and subsequent accelerated material deterioration have irreversibly damaged the supporting red brick structure and rendered the structure a hazard to public safety”. It is the professional opinion of this office that the building reacted as expected during the '03 earthquake and protected occupants at the time. However, in doing so resulted in the destruction of the most authentic historic point of interest (the exterior red brick walls). As such, and as outlined in the referenced city ordinance, we recommend the rescission of “historic landmark” designation for this project”.*

Based on the engineering report concluding that the 2003 San Simeon Earthquake and subsequent accelerated material deterioration has irreversibly damaged the supporting red brick structure and rendered the structure a hazard to public safety, that the Destruction of the Historic Landmark, through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare, the City Council approves rescinding the designation of the house located at 1527 Park Street as a Historic Landmark, thereby removing the property from the City’s Historic Resource Inventory.

With the City Council’s action to rescind the designation of the property as a Historic Landmark, and thereby removing the property off of the HRI, the property would not be considered a historic resource and therefore there would be no impact to a historical resource.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal                                      |                          |                          |                          |                                     |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (b-d): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**VI. GEOLOGY AND SOILS:** Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
--	---	---	---	----------------------

Code, creating substantial risks to life or property?

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion (a-e): This project consists of the removal of a house from the City’s Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-b): This project consists of the removal of a house from the City’s Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-h): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

a. Violate any water quality standards or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
waste discharge requirements?				
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
map?				
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-l): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**X. LAND USE AND PLANNING:** Would the project:

a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**XI. MINERAL RESOURCES:** Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-b): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**XII. NOISE:** Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
--	---	---	---	----------------------

ambient noise levels in the project vicinity above levels existing without the project?

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-e): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**XIII. POPULATION AND HOUSING:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-c): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
--	---	---	---	----------------------

**XIV. PUBLIC SERVICES:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Fire protection? (Sources: 1,10)         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? (Sources: 1,10)       | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Parks?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Other public facilities? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-e): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**XV. RECREATION**

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a&b):

This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: Attachment 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-f): This project consists of the removal of a house from the City's Historic Resource

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	---	---	----------------------

Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

**XVII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                          | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: This project consists of the removal of a house from the City's Historic Resource Inventory

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
---	---	---	----------------------

as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

---

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-c): This project consists of the removal of a house from the City's Historic Resource Inventory as a result of the structure having suffered substantial structural damage as a result of the 2003 San Simeon Earthquake. The process of removing the house from the list has no impact on this environmental factor.

## **EARLIER ANALYSIS AND BACKGROUND MATERIALS.**

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

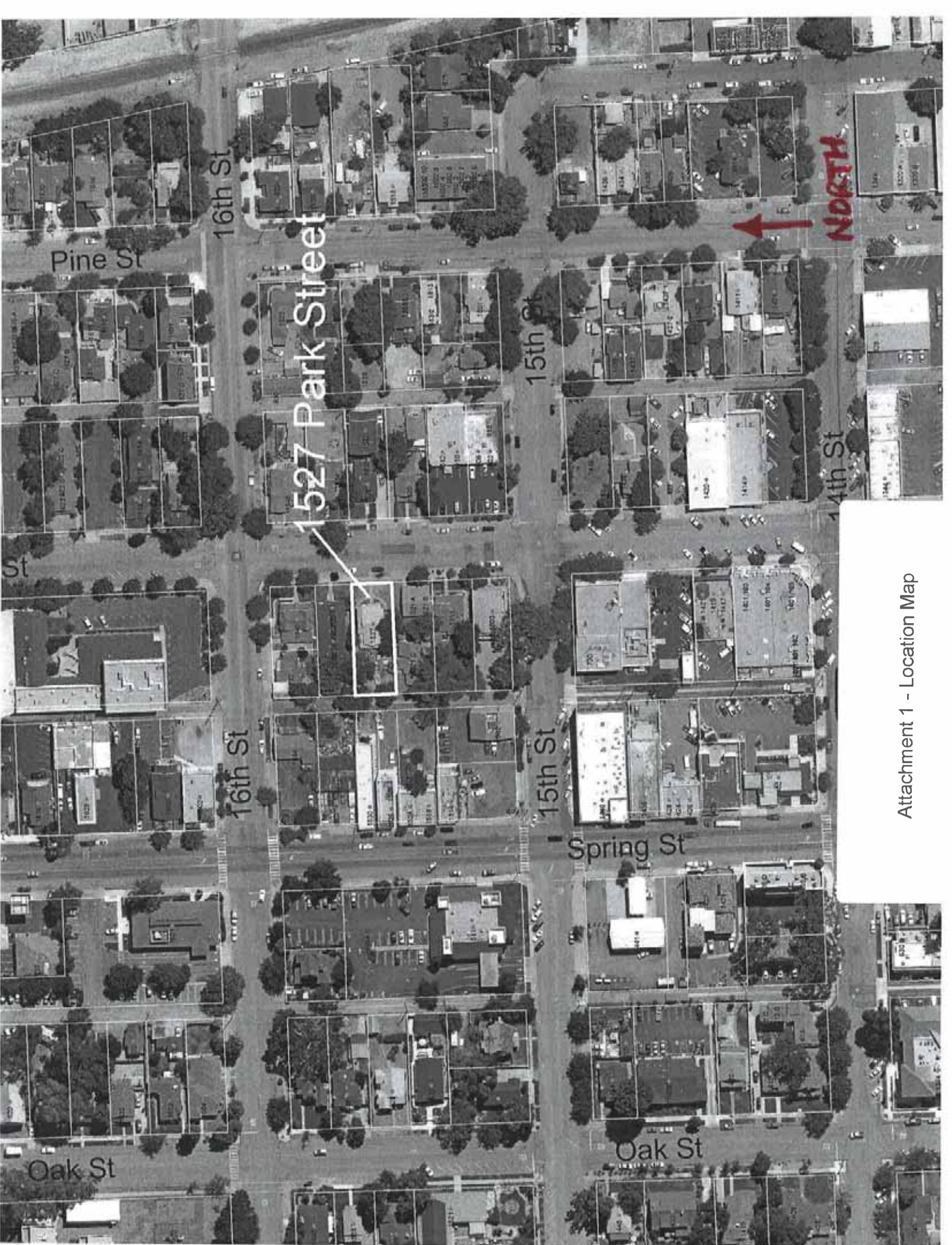
Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<b><u>Reference #</u></b>	<b><u>Document Title</u></b>	<b><u>Available for Review at:</u></b>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

### **Attachments:**

- 1. Vicinity Map**





Attachment 1 - Location Map

RESOLUTION NO. 14-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING THE REMOVAL OF PROPERTY LOCATED AT 1527 PARK STREET  
FROM HISTORIC RESOURCES INVENTORY  
(MACKLIN)

---

WHEREAS, Walter and Claire Macklin have provided an application requesting that the City Council rescind the designation of the property located at 1527 Park Street as a Historic Landmark; and

WHEREAS, the house was built in 1893 and has been listed in the City's Historic Resource Inventory (HRI), which lists properties eligible for local and state designation as an individual historic landmark; and

WHEREAS, Section 21.50.120, of the Historic Preservation Ordinance, allows the City Council, upon recommendation from the Planning Commission, to rescind any designation of a historic landmark, subject to the Council making the finding that the building no longer meets the designation criteria due to:

- 1) New information that compromises the significance of the property; or
- 2) Destruction of the Historic Landmark, Point of Interest or Contributor to a Historic District through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare; or
- 3) The demolition, relocation, or removal of the Historic Landmark, Point of Interest or Contributor to a Historic District.

and

WHEREAS, the Macklins have provided a report prepared by John Kudla, P.E., of JK Engineering that evaluates the current condition of the unreinforced masonry building, references Section 21.50.120.2 of the Historic Preservation Ordinance regarding Rescission of a Designation, and concludes:

*"The 2003 San Simeon catastrophic earthquake and subsequent accelerated material deterioration have irreversibly damaged the supporting red brick structure and rendered the structure a hazard to public safety". It is the professional opinion of this office that the building reacted as expected during the '03 earthquake and protected occupants at the time. However, in doing so resulted in the destruction of the most authentic historic point of interest (the exterior red brick walls). As such, and as outlined in the referenced city ordinance, we recommend the rescission of "historic landmark" designation for this project".*

(See Report, Attachment 1); and

WHEREAS, on February 11, 2014, the Planning Commission reviewed the request and on a 5-1-1 vote, recommended that the City Council deny the request to remove the property from the list of historic resources, as a result of not having sufficient evidence regarding the structural

integrity of the building on which to base a finding that a catastrophic event has rendered the building a hazard to the public health, safety, or welfare;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, AS FOLLOWS:

Section 1. The City Council hereby finds and determine that sufficient evidence has been presented to find that the 2003 San Simeon earthquake was a catastrophic event that destroyed several of the historic features of the structure at 1527 Park Street. That damage, as well as the subsequent accelerated material deterioration, has rendered the structure a hazard to public health, safety and welfare. This finding is based on the Engineering Report prepared by John Kudla, P.E., the staff report, and public testimony received at the City Council meeting. The Engineer's Report is attached hereto as Exhibit A and incorporated herein by reference.

Section 2. Pursuant to paragraph (2) of Section 21.50.120 of the Municipal Code, the City Council of the City of El Paso de Robles hereby approves removing the property located at 1527 Park Street from the City's Historic Resources Inventory.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 4<sup>th</sup> day of March 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

---

Duane Picanco, Mayor

---

Caryn Jackson, Deputy City Clerk

Exhibit A

(Insert Engineer's Report)



THE *Newspaper of the Central Coast*  
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
AFFIDAVIT OF PUBLICATION

AD # 7042587  
CITY OF PASO ROBLES

STATE OF CALIFORNIA  
SS.  
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; JANUARY 31, 2014, that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

  
(Signature of Principal Clerk)

DATED: JANUARY 31, 2014  
AD COST: \$165.27

**CITY OF EL PASO DE ROBLES**

**NOTICE OF PUBLIC HEARING AND NOTICE OF INTENT TO CONSIDER APPROVAL OF A NEGATIVE DECLARATION, MISC. 14-001 - RESCISSION OF DESIGNATION**

**NOTICE IS HEREBY GIVEN NOTIFICATION** that the Planning Commission and the City Council of the City of El Paso de Robles will hold Public Hearings to consider approval of a Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

**Misc. 14-001:** request filed by Walter J. and Claire I. Macklin, to remove the house located at 1527 Park Street from the Paso Robles Historic Resources Inventory (Rescission of Designation). The request to remove the house is as a result of the house having severe structural damage. The request is being made in compliance with Section 21.50.120 of the City's Historic Preservation Ordinance.

The public hearings will be considered on the following dates and times:

- Planning Commission: Tuesday, February 11, 2014;
- City Council: Tuesday, March 4, 2014.

Both meetings will be held at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers.

The public review period for the Negative Declaration (ND) is February 10, 2014 through March 4, 2014. The proposed ND may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction. A copy of the ND is also available on the City website at:

<http://www.prcity.com/government/departments/commdev/index.asp>.

Written comments on the proposed Rescission of Designation and corresponding ND may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to [dnash@prcity.com](mailto:dnash@prcity.com), provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or email at [dnash@prcity.com](mailto:dnash@prcity.com).

If you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Darren Nash  
Associate Planner  
January 31, 2014

7042587

RECEIVED

FEB 03 2014

City of Paso Robles  
Community Development Dept.

I, Walter J. Macklin, want to be a good citizen, therefore I am submitting the problems I have confronted in ownership of property purchased July 28, 1981 at 1527 Park Street in Paso Robles, CA.

#1. My property was designated as a historical landmark without my (owner's) permission, agreement, or hearings explaining the rights of the city to designate my property to be an individual Historical Landmark. No effort was made to describe what is happening now in my application to demolish the building. No effort was made to describe what limitations were to be imposed on remodeling, alterations or additions nor where the city's authority came from.

#2. In 1981, I was desperate to help my oldest daughter get out of an 8' by 20' old trailer located in Atascadero. She was working in Paso Robles struggling to support 2 small children and an ill husband. I found this property to buy easily (taking over the payments) and it was a 86 year old dump by any standard. My payments were \$666.00 monthly, and I charged my daughter \$200.00 for rent as that was all she could afford. It did make a substandard yet affordable home that was warm enough.

#3. Later, in the 1990's the Historic Resources Inventory (HRI) need was developed. The method of complying was to survey the city for the addresses where the buildings met the description of worthwhile properties that would illustrate the history of the city, attract visitors, and deserve preservation in a way to keep the original character intended by the original owner and in its period of significance.

#4. The problem of regulating this noble cause was solved through the document titled Historic Preservation Ordinance. With that document, the city extracted the property rights of the building owners and imposed on the owners the standards of repair that would prevent deterioration, dilapidation, decay and neglect of these historic resources. That ordinance prohibits remodeling using modern windows, bathrooms, kitchens or anything that alters the character or period of original design. Removal of fireplaces, chimneys, and adding a rooftop air conditioner or perhaps solar panels would not be permitted.

#5. The owners are not allowed to decide to demolish any part of the house and must maintain everything to prevent decay or demolition by neglect. Defective materials or deterioration which may cause any portion of the roof, foundations, walls, or other structural members to deteriorate shall be promptly addressed, repaired or stabilized.

#6. If the owner demolishes the property without permission, our city will not issue any building permit or construction related permit for 3 years. Our City Council adopted this law in 2011.

#7. I went to the planning department and applied for a permit to demolish the residence because it is worn out and unsafe to rent out to people. The north wall, with or without earthquake activity, might and likely will collapse, perhaps falling out toward the northerly neighbors property, risking damage to that residence or their fencing.

I, unfortunately, was given a cold reception, and a list of experts in this area. I was directed by Ed Gallagher (Community Development Director) to call an expert to get guidance, at a cost of course, and that was the very first of many steps to come. I called 6 or 8 on the list and they were out of business on my issue. Then I called Ron Rose from the list. He said I would need a structural engineer and that will cost \$3000.00 to \$4000.00. To be noted, Ron did not charge me for the information.

I am complaining that step was completely unnecessary and was an effort to discourage me to a point where I would give up and get out of Ed Gallagher's hair, because Ed could have directed me in the very same way.

RECEIVED

FEB 25 2014

City of Paso Robles  
Community Development Dept.

#8 I returned to the planning department, asking what should I do next?

I was directed away from a structural engineer Craig Dobbs, whom I had called, and was directed to JK Engineering (805) 239-4151, and even more specifically to Darren Traversal, a licensed structural engineer, who has no office, but has done work through JK Engineering which was satisfactory to the City Planning Department in the past. The cost was \$4000.00, and the check should be made out to John Kudla, not JK Engineering.

#9 When I went to our planning department, I explained to Ed Gallagher that the north wall was separating from the bearing walls and I was fearful of another earthquake. The tons of weight in the wall itself and the tons of weight in the roof on top of the wall could fall in the direction of north, which could do major damage to the property directly north of my property.

It would be reasonable to expect that our planning director would be doing high quality work by requesting the city engineer, John Falkenstien, visit the property at 1527 Park Street to see the house and make a personal appraisal of the potential for causing property damage.

Darren Nash, Associate Planner, might be asked to contact the owner, asking to be let inside the house for taking a couple pictures with a smart phone or better camera. Based on their own observations they would conclude the same conclusions provided by JK Engineering and saved me (or any owner), \$4000.00.

Does our City Council question the logic, a licensed structural engineer must determine what is plainly obvious to most people, OR is following the guidebook called the City of Paso Robles Historic Preservation Ordinance more important? If anyone looks closely, that directive, to hire the professional, is not in there, and it is an interpretation of what actually is in the previously stated ordinance.

#10 I take offense at the interpretations made by Ed Gallagher regarding 21.50.120. For example, the staff reports. #3---"The Macklin's are requesting that the house be taken off the Historical Resource Inventory ( HRI) due to structural damage". This is not exactly accurate. The Macklin's were requesting a permit to demolish the building before someone gets hurt or some property gets damaged. I further explained, I was in a financial position to solve my problem by selling the property to some unsuspecting young people with very little down and carrying the paper myself because no bank would prepare a mortgage on a home in that condition. I explained to Ed Gallagher and later to Darren Nash, (Associate Planner) my feelings were this is not a moral solution as the danger remains unsolved.

Ed Gallagher led me to believe the "slick" way to go about this was for me to apply for a rescission of the city designation of historical landmark and the subsequent removal of the property from the Historical Resources Inventory, restoring my property rights. Then, I could apply for a demolition permit like any other building.

Mr. Gallagher went on to say there is another way to go about this, but it involves getting involved with the CEQA (California Environmental Quality Act) and other problems, that will consume a lot of time and effort, therefore not the route I should take. Ed Gallagher assured me there would be no trouble getting the planning commission to recommend this application be approved. This somewhat put me at ease, after spending \$1,200.00 to process the application, and an additional \$500.00 because the city had to involve the City Attorney, Iris Yang, and the \$4000.00 to JK Engineering, At least I would be able to turn my property into cash for my retirement.

Ed Gallagher's staff report says " the Historic Preservation Ordinance provides the opportunity for the City Council to allow a property to be removed from the HRI in two ways; (1) by allowing the Historic Landmark to be removed from the property by demolition, or by (2) to rescind the property from being designated as a Historical landmark."

(1), was news to me, and sounds to simple to be true. I would have thought someone would have told me about this the very first visit, saving me nearly \$6000.00.



#11 The report by JK engineering, subcontracted out to Darren Traversal, was carefully coordinated by associate planner, Darren Nash, to arrive with the correct emphasis on describing the damage and deterioration of the bricks in addition to the separation of the northern wall. The coordination was not too elaborate, but to correctly frame the findings to be easily understood by the public and the planning commission, giving credence to the conclusion about "irreversible damage" and their professional recommendation, "We recommend rescission of historical landmark."

#12 On Feb 12, 2014, I went to City Hall to see Jim App. After warm greetings with Jim, as we are old friends, I read from the Historic Preservation Ordinance the 21.50.120 in verbatim, "The City Council, upon the recommendation of the planning commission, may amend or rescind any designation of a Historical Landmark(page 14)." and "the building or structure shall not be demolished unless the City Council, with a recommendation from the Planning Commission makes a finding (page 18)---". My inquiry for Mr. Jim App was, "Can the City Council, without the recommendation of the Planning Commission and contrary to the opinion of the majority of the Planning commission, and without new findings, decide to rescind the designation of Historical Landmark based on the same findings presented at the planning commission meeting? "

Jim App said, "Lets get Ed Gallagher in here and find out." Ed Gallagher and Darren Nash came in and said "The Council can disregard the Planning Commission,s decision, treating it as a first hearing of the case, and treating it that way can ask for additional information. Furthermore, if there is a cost to additional information gathering, that must be paid by the applicant." I was asked if I contacted the individual Planning Commissioners explaining details they might wish to know more about. My answer was no. Jim asked "why?" and I answered , " I thought that would be "tacky."

Jim App and Ed Gallagher advised that I should contact each of the council. Darren Nash advised that it would be wise to hire JK Engineering to be at the meeting with Darren Traversal prepared to answer questions. I was advised to let each council member know that I had my house in escrow closing the day after the property is rescinded from the designation of Historical Landmark(March 5, 2014). The insinuation was made, I did not receive the support of the planning commission because I did not contact each commissioner in person.

Planning Staff did not suggest I contact the commissioners , and were fully aware of my investment in money and effort.

Now my intentions are to distribute this information to all of the Planning Commissioners, City Council Members, city staff, and other interested parties. I am trying to gain support based on logic and common sense approach to public safety, rather than emotions and blame, complicated by nostalgia.

I hope I have provided the details needed to have my property rescinded from the Historic Preservation Inventory and be decommissioned as a Historic Landmark. The new owner will apply to demolish the building and replace it with something well thought out that all in our city can take pride in.

Thank you for your time,

Walter J. Macklin and Claire Macklin

The Planning Commission meeting of Feb. 11<sup>th</sup>, 2014 explained to Walter Macklin and others in the audience, by their comments, that the majority would not approve rescinding the designation Historical Landmark because of several reasons;

#1 Rescinding this property and removing it from the inventory would set a precedent, and that would illustrate there are valid reasons that justify that action, but would be unpopular in the eyes of those who testified in opposition to rescinding the designation Historic Landmark.

#2 If the Planning Commission lets the owner get away with this crime, that will lead to other property owners wanting to commit the same crime.

#3 the insinuation was made as the owner of the property, I should be ready and willing to spend the money required to keep the property worthy of the designation regardless if I could recoup the expense thru rents. In normal business matters, that would be the owners concern not the planning commissioner's. This house is 123 years old, worn out when I bought it 33 years ago and the structural materials are crumbling beyond repair.

#4 It is obvious, commission members voted that their personal expertise in evaluating the \$4000.00, JK Engineering work product requested by our city planning staff is paramount, indicating it was poor quality work or exaggerating the problems only to support the engineering firm's professional conclusion and recommendation and to persuade the commission members to go along with the owner's wishes. I doubt they walked the property or looked in a window. No one in their family would live there, but they want control thru their influence and position as long as it does not effect them.

The one vote in favor (the chairman's) of rescinding the designation Historical Landmark had comments with reasoning:

#1 The property was purchased long before the Historic Preservation movement began, had not changed hands and because the owners did not want to be in the inventory of properties labeled historic resources, they should be exempt.

#2 The JK Engineering work product probably made more sense due to his work background.

#3 The possibility of potential damage and underlying liability exposure was understandable also due to his work background. I will forever be appreciative of his vote.

Walter J. Macklin