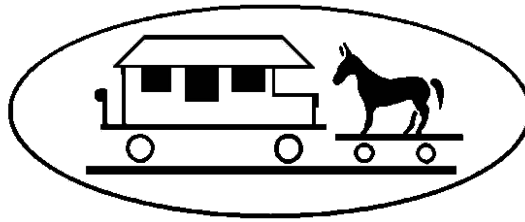


Historic Ontario



*The "Model Colony"*

**CITY OF ONTARIO HISTORIC PRESERVATION  
COMMISSION  
HISTORIC PRESERVATION SUBCOMMITTEE**

**AGENDA**

**October 8, 2020**

**All documents for public review are on file in the Planning Department located in City Hall at 303 East "B" Street, Ontario, CA 91764.**

**MEETINGS WILL BE HELD AT 5:30 PM VIA ZOOM**

**SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT CITY OF ONTARIO HISTORIC PRESERVATION SUBCOMMITTEE COMMISSION MEETINGS.**

Due to the directives contained in the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Historic Preservation Subcommittee Commission for the City of Ontario is required to limit in-person attendance at the upcoming Historic Preservation Subcommittee Commission meeting. Members of the public may utilize alternative measures established by the City of Ontario to view the Historic Preservation Subcommittee Commission meeting and/or to communicate your opinions to the Historic Preservation Subcommittee Commission Chairman. To view the meeting, please go to <http://www.ontarioca.gov/Agendas/HistoricPreservation> and follow the link on that webpage.

Members of the public who wish to provide comment on an item may do so in one of the following manners:

1. **EMAIL:** You can email comments to [planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov) no later than 12:30 PM on the day of the meeting. All comments received by the deadline will be printed for Historic Preservation Subcommittee Commission consideration before action is taken on that matter. Please identify the agenda item that you wish to address in your comments. All written comments will be included in the record.

2. **TELEPHONE BEFORE THE MEETING:** You can call (909) 395-2036 no later than 12:30 PM on the day of the meeting and let them know that you would like to make a comment on an agenda item.

Any members of the public who require special assistance or a reasonable accommodation to participate in the meeting of the Historic Preservation Subcommittee Commission may contact Gwen Berendsen at (909) 395-2036 or [planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov) at least 24 hours prior to the meeting.

### **PUBLIC COMMENTS**

*Citizens wishing to address the Historic Preservation Subcommittee on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.*

*Please note that while the Historic Preservation Subcommittee values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.*

### **AGENDA ITEMS**

*For each of the items listed below the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Historic Preservation Subcommittee may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.*

### **CONSENT CALENDAR ITEMS**

#### **A. MINUTES APPROVAL**

Historic Preservation Subcommittee Minutes of Special Meeting, September 15, 2020, approved as written.

Motion to Approve/Deny

### **PUBLIC HEARING ITEMS**

- B. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP20-012:** A Mills Act Contract for a 2,160 square foot Spanish Colonial Revival style single-family residence, a Contributor within the Euclid Avenue Historic District known as the Dr. G. Ben Henke House, located at 1458 North Euclid Avenue within the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APN: 1047-352-14) **submitted by Steven and Sylvia Romero. Historic Preservation Commission and City Council actions are required.**

1. **CEQA Determination**

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. **File No. PHP20-012** (Mills Act Contract)

Motion to recommend Approval/Denial

**DISCUSSION ITEMS:**

1. **Update on the development of the C Block (Euclid Avenue, C Street, D Street, and Lemon Avenue)**

If you wish to appeal a decision of the **Historic Preservation Subcommittee**, you must do so within ten (10) days of the **Historic Preservation Subcommittee** action. Please contact the **Planning Department** for information regarding the appeal process.

If you challenge any action of the **Historic Preservation Subcommittee** 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 **Historic Preservation Subcommittee** at, or prior to, the public hearing.

The next **Historic Preservation Subcommittee** meets on November 12, 2020

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **October 5, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



**CITY OF ONTARIO HISTORIC PRESERVATION COMMISSION  
(Presented to public via Microsoft Teams)**

**Historic Preservation Subcommittee**

**Minutes**

**September 15, 2020  
Special Meeting**

**REGULAR MEETING:** City Hall, 303 East B Street, Ontario, CA 91764  
Called to order via Microsoft Teams, by Robert Gregorek, at 5:30pm

**BOARD MEMBERS PRESENT**

Robert Gregorek, Chairman  
Rick Gage, Planning Commissioner  
Jim Willoughby, Planning Commissioner

**BOARD MEMBERS ABSENT**

None

**STAFF MEMBERS PRESENT**

Diane Ayala, Senior Planner  
Elly Antuna, Associate Planner  
Monica Carranza, Administrative Intern

**PUBLIC COMMENTS**

No one responded from the public

**MINUTES**

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the July 9, 2020, meeting of the Historic Preservation Subcommittee was made and approved unanimously by those present (3-0).

**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT, TIER DETERMINATION AND HISTORIC DISTRICT DESIGNATION REVIEW FOR FILE NOS. PHP20-006 AND PHP18-028:** A request for a Tier Determination (File No. PHP20-006) and Local Historic District Designation (File No. PHP18-028) of the Graber Olive House Historic District as Historic District No. 8, located at the northeast corner of East Fourth Street and North Columbia Avenue, within the College Park Historic District, at 301 East Fourth Street, 315 East Fourth Street, 405 East Fourth Street, and 406 East Harvard Place, within the LDR5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-543-01, 1047-543-31, 1047-543-30, 1047-543-20); **submitted by Clifford Graber II. Planning Commission/Historic Preservation Commission and City Council action required.**

Monica Carranza, Administrative Intern, presented the staff reports for File Nos. PHP20-007 and PHP18-028.

Motion approving **File No. PHP20-006** and recommending approval of **File No. PHP18-028** to the Planning/Historical Preservation Commission was approved unanimously by those present (3-0).

**DISCUSSION ITEMS**

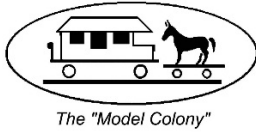
1. Museum – Built on Water Gallery

There being no further business, the meeting was adjourned at 6:30pm.

Respectfully submitted,



Elly Antuna  
Associate Planner



# Historic Preservation Subcommittee

October 8, 2020

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**DECISION NO.:**

**FILE NO.:** PHP20-012

**DESCRIPTION:** A Mills Act Contract for a 2,160 square foot Spanish Colonial Revival style residential building, a Contributor within the designated Euclid Avenue Historic District, located at 1458 North Euclid Avenue, within the LDR5 (Low Density Residential) Zoning District. (APN: 1047-352-14); **submitted by Steven and Sylvia Romero.**

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## PART I: BACKGROUND & ANALYSIS

STEVEN AND SYLVIA ROMERO, (herein after referred to as "Applicant") has filed an application for the approval of a Mills Act Contract, File No. PHP20-012 as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 0.28 acres of land located at 1458 North Euclid Avenue, and is depicted in *Exhibit A: Project Location Map*, attached.

(2) **Project Background:** This single-family residence was constructed in 1937 (est.) for Dr. Ben Henke in the Spanish Colonial Revival architectural style. The property was designated as a Contributor to the Euclid Avenue Historic District on June 4, 2013 and is depicted in *Exhibit B: Site Photographs*, attached.

For an historic property to be eligible for a Mills Act Contract, the historic property must be either a local, state, or nationally designated property or a contributor within a locally designated historic district. The Mills Act Contract is between the City and a property owner whereby the property owner agrees to certain improvements to restore, rehabilitate or preserve a qualified historic building. In exchange, the County Tax Assessor reassesses the property's value based on an alternative formula that may result in a significant reduction in the owner's property taxes.

Pursuant to State law, a Mills Act Contract is recorded on the property and is a perpetual 10-year contract that automatically renews annually. The Mills Act Contract and all benefits and responsibilities remain with the land, even after a change of ownership. If a Contract is cancelled as a result of non-compliance with the conditions of the Contract, a cancellation fee of 12.5% of the market value (as of the time of cancellation) is assessed.

(3) **Improvements:** The applicants are proposing both exterior and interior work as part of the Contract that qualifies under the guidelines and standards set by the State of California. The exterior work includes repair to the roof, tree trimming, re-glazing

of windows and paint. The interior work includes plumbing repairs and replacements, updating electrical, and refinishing of hardwood floors, cabinets and original doorknobs. The improvements are valued at an estimated \$41,900. The proposed schedule of improvements is attached in *Exhibit C: Schedule of Improvements*.

**(4) Mills Act Impacts:**

**(i) Savings:** The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

|                                     |          |
|-------------------------------------|----------|
| Current Annual Taxes Paid:          | \$4,176  |
| Mills Act Annual Taxes Projected:   | \$2,647  |
| Potential Total Annual Tax Savings: | \$1,529  |
| Estimated Savings over 10 years:    | \$15,290 |
| Estimated Savings Percentage:       | 36.6%    |

**(ii) City Cost:** According to the City budget, Ontario receives approximately 16.8% of the 1% General Tax Levy collected for property taxes. The following shows the estimated loss in City property tax revenue for this Contract based on estimates calculated by the Planning Department.

|  |         |
|--|---------|
| Current Annual City Tax Revenue:             | \$702   |
| Mills Act Annual City Tax Revenue Estimated: | \$445   |
| Estimated Total Annual Cost to the City:     | \$257   |
| Estimated Cost to the City over 10 years:    | \$2,570 |

**(5) Evaluation:** As indicated above, the estimated annual cost to the City of the Mills Act Contract would be \$257. In exchange for this modest decrease in property tax revenues, approximately \$41,900 will be reinvested into the historic building over a 10-year period – a ratio of \$16.30 in private funds spent for every dollar the City foregoes in property tax revenue.

**PART II: RECITALS**

WHEREAS, the Application is not a project pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 21065; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Subcommittee ("HPSC") the responsibility and authority to review and act, or make recommendation to the Historic Preservation Commission, on the subject Application; and

WHEREAS, all members of the HPSC of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the Project; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources elements of The Ontario Plan (“TOP”) sets forth Goals and Policies to conserve and preserve Ontario’s historic buildings and sites; and

WHEREAS, on October 8, 2020, the HPSC of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

### **PART III: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Historic Preservation Subcommittee of the City of Ontario, as follows:

SECTION 1: As the recommending body for the Project, the HPSC has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the HPSC, the HPSC finds as follows:

(1) The Application is not a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

SECTION 2: Based upon the substantial evidence presented to the HPSC during the above-referenced hearing and upon the specific findings set forth in Section 1, above, the HPSC hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into Contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Dr. Ben Henke House, located at 1458 North Euclid Avenue, was designated as a Contributor to the Euclid Avenue Historic District on June 4, 2013 and is therefore a qualified historical property; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3: Based upon the findings and conclusions set forth in Sections 1 and 2 above, the HPSC recommends the Historic Preservation Commission recommend the City Council approve the request for a Mills Act Contract.



SECTION 4: The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

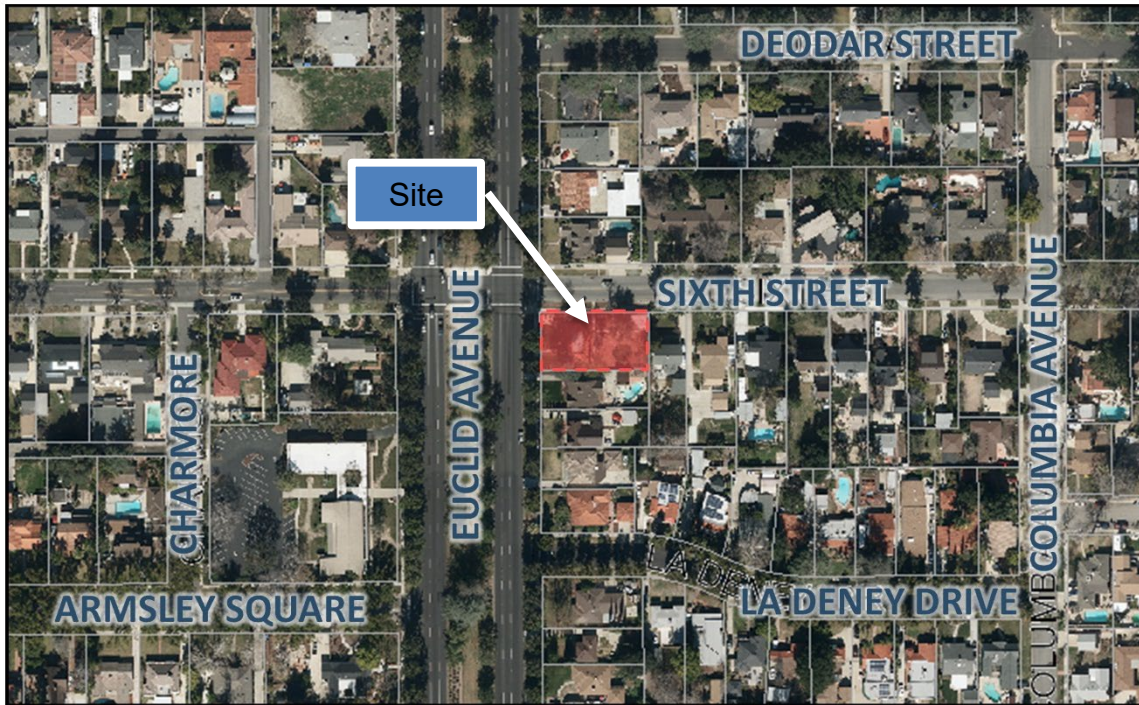
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APPROVED AND ADOPTED this 8<sup>th</sup> day of October 2020.

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Historic Preservation Subcommittee

**Exhibit A: Project Location Map**



***Exhibit B: Site Photographs***



***Exhibit C: Schedule of Improvements***

| <b>Contract Year</b> | <b>Description</b>  | <b>Estimated Cost</b> |
|----------------------|---|-----------------------|
| 2021:                | Paint interior of home.   | \$2,000               |
| 2022:                | Paint exterior of home.   | \$6,000               |
| 2023:                | Replace plumbing in bathroom. Re-glaze bathtub.                   | \$5,000               |
| 2024:                | Replace and repair electrical as needed.                          | \$17,000              |
| 2025:                | Reglaze windows and doors where glass is broken.                  | \$800                 |
| 2026:                | Tree trimming (4 trees) by certified arborist.                    | \$2,400               |
| 2027:                | Repair cupboards in kitchen, bathroom and hall.                   | \$2,000               |
| 2028:                | Refinish/replace wood floors throughout the home.                 | \$2,500               |
| 2029:                | Replace broken tiles on roof.                                     | \$500                 |
| 2030:                | Replace skeleton keys and refinish doorknobs. Repair garage roof. | \$3,700               |
|                      | <b>Total</b>  | <b>\$41,900</b>       |