

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA MODIFYING THE HISTORIC PRESERVATION COMMISSION'S CONDITIONS OF APPROVAL TO ALLOW REPLACEMENT OF WINDOWS ON THE SOUTH-FACING FAÇADE OF THE METROPOLE BUILDING LOCATED AT 306 2ND STREET (AKA 217 D STREET)

WHEREAS, the applicant, Dave Gaddis, on behalf of property owner Evo Fanucchi, applied to replace all siding, window trim and sills, and window sashes along the south-facing (alley-facing) façade of the Metropole Building located at 306 2nd Street (aka 217 D Street; APN 001-093-016); and

WHEREAS, the three-story frame Classic Revival building was constructed in 1903, and the property is included on the Local Register of Historic Places; and

WHEREAS, pursuant to Eureka Municipal Code (EMC) §157.006.C, any modification to the exterior of the historic structure visible from a public way requires Historic Preservation Commission review and approval; and

WHEREAS, the Historic Preservation Commission held a duly noticed public hearing at City Hall in the City of Eureka on September 6, 2023, at 4:00 p.m. in the Council Chamber and via Zoom on the proposed project; and

WHEREAS, the Historic Preservation Commission opened the public hearing at the September 6, 2023 meeting, and after due consideration of all testimony, evidence, and reports offered, voted to continue the item to their next regular meeting on October 4, 2023 in order to allow the applicant additional time to explore alternatives to the materials proposed for the project; and

WHEREAS, the Historic Preservation Commission reviewed the subject application again at their October 4, 2023 meeting, and decided to continue the item a second time to their next regular meeting on November 1, 2023 in order to allow the applicant time to further explore additional alternatives to the materials proposed for the project as requested by the Commission; and

WHEREAS, at their November 1, 2023 meeting, the Historic Preservation Commission reviewed the subject application for a third time, and voted unanimously to adopt, with three Commissioners absent, Historic Preservation Commission Resolution No. 2023-13 approving the project with conditions; and

WHEREAS, the Historic Preservation Commission approved replacing siding with Hardie brand siding in the closest profile possible, and replacing window trim and sills with the best wood available, likely Cedar, to match the old in design, color and texture, but did not approve replacing the wooden window sashes with the proposed Milgard brand vinyl window sashes, and instead required the existing window sashes to be

restored through the imposition of Condition “e” in Resolution No. 2023-13; and

WHEREAS, action by the Historic Preservation Commission may be appealed to the City Council by any aggrieved person within 10 calendar days of the decision; and

WHEREAS, the applicant filed an appeal within the 10-day appeal period, contesting the requirement in Condition “e” to repair the ten alley-facing wooden window sashes, and instead requested replacement with vinyl window sashes be allowed as originally proposed; and

WHEREAS, the City Council of the City of Eureka held a duly noticed public hearing at City Hall in the City of Eureka on November 21, 2023, at 6:00 p.m. via Zoom and in person in the Council Chamber; and

WHEREAS, the City Council of the City of Eureka has reviewed the action of the Historic Preservation Commission, and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby modify Condition “e” of the Historic Preservation Commission’s conditions of approval in Resolution No. 2023-13 to remove the requirement to repair the existing window sashes, and instead require that any wooden window sashes removed from the south-facing façade which are able to be repaired, be stored and repaired over time, and retained for future window replacement on the other building façades. The City Council’s decision to modify the Historic Preservation Commission’s approval is based on the following findings of fact:

1. Existing siding, window trim and sills, and window sashes along the alley/south-facing facade have deteriorated substantially requiring replacement, and although the new siding, window trim and sills, and window sashes will not be the same Redwood material, they will match the old in term of design, color, and texture.
2. The alley-facing south façade does not contain any distinctive decorative features which define the historic character of the building, unlike the 2nd and D Streets facades.
3. Conditions “a” through “d” of the Historic Preservation Commission’s approval in Resolution No. 2023-13 remain in full force and effect. These existing conditions and the modified Condition “e” imposed by Council ensure future repairs to the more prominent 2nd Street and D Street building facades will be done like-of-like including with wood-framed windows, with no alteration to decorative features which define the historic character of the building.
4. The project, as conditioned, is consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties and qualifies for a Class 31 exemption from the preparation of environmental documents.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Eureka does hereby modify the Historic Preservation Commission's conditions of approval as follows (deletions are shown in ~~bold strike-through font~~ and additions are shown in **bold underline font**):

- a. The applicant shall undertake the project as approved by the Historic Preservation Commission **and City Council**. Any deviation in design, architectural style, or exterior appearance from those currently proposed and conditioned shall have prior approval.
- b. Prior to initiating any further work, the applicant shall apply for and be issued an approved building permit to the satisfaction of Development Services - Building.
- c. Any Redwood siding removed from the south-facing façade which is not rotted or deteriorated will be retained for patchwork repairs to damaged Redwood siding on the other building façades.
- d. Any future repairs to the 2nd Street and D street facing building façades will be done in-kind, utilizing, for example, Redwood siding and wood-framed windows, with no alteration to decorative features which define the historic character of the building.
- e. ~~Existing window sashes will not be replaced with the proposed Milgard windows, but instead will be repaired.~~ **Any wooden windows sashes removed from the south-facing façade which are able to be repaired will be stored, repaired over time, and retained for future window replacement on other building façades.**

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 21st day of November, 2023 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn Luna, City Attorney