

A QUARTERLY PUBLICATION OF THE CALIFORNIA PRESERVATION FOUNDATION

## GOVERNOR SIGNS TWO BIG BILLS

**SB 90 (McCorquodale) — the California Heritage Fund (CHF)** — provides the Office of Historic Preservation with some important new powers. The Fund will enable OHP to create a dedicated fund to provide acquisition loans for property at risk — or, in emergencies, to step in and purchase the structure temporarily — and to offer matching grants or loans which will allow agencies or non-profits to establish specific preservation initiatives for real property.

**SB 221 (Marks)** — amended the Mills Act, California's historic property tax incentive. Property owners are now assured that the assessment method applied will be the most favorable, not merely the single previous option, the "capitalization of income" method (one Berkeley property actually is assessed at a higher rate because it is under a Mills Act contract). Another provision requires that work on Mills Act properties follow the "Secretary's Standards." Finally, executed contracts will have to be reported to OHP so that we would have, for the first time, a record of Mills Act properties.

CPF hopes to join with OHP in contacting county assessors to inform them of these changes, particularly the need to make sure that all contracts are reported to OHP. We will also be updating our book, "What's In It For You?" If your city or county has an active Mills Act program, and has any properties under contract or in the negotiating stage, let us know so our update will be current. (legislative news continues on page 6)

**Governor signs SB 1185 — prohibiting local designation of historic religious properties for one year, as of January 1, 1994 (see companion story "Churches and Community")**

## CHURCHES AND COMMUNITY

Every town has faced the prospect of losing a major piece of its heart and soul, the historic church which has stood there for every citizen to enjoy throughout the shared memory of all. It may be your neighbor's church, but it is such an important piece of "community fabric" that it is claimed by all as a critical part of what is most cherished about the look and feel of your hometown.

Historic churches are noticed, and they are dearly missed when they are demolished. The 1989 Loma Prieta Earthquake directly led to the demolition of some major Bay Area churches. In Oakland alone, the Catholic Diocese elected to demolish the venerable Sacred Heart (challenged in court by parishioners) and the historic cathedral, St. Francis de Sales. The latter also faced a three-year fight to come up with reasonable repair costs and, then, to find another church group to use the magnificent edifice.

With shrinking congregations, the Diocese had other plans and has chosen to abandon downtown Oakland. (more on page 4)



Even when people do not share a faith, they recognize that the physical presence of historic churches is especially critical to the character of every community. The loss of Pasadena's Neighborhood Church, wantonly demolished by Caltrans on a weekend in 1974, probably served to galvanize the grieving citizens to firmly oppose completion of the Long Beach Freeway (the church site is still vacant).

## CPF Design Awards Event Moves to L.A.

The presentation of CPF's 11th Annual Design Awards will take place at one of L.A.'s most loved landmarks, the fabulous Union Station, on February 26, 1994. We have all been there before, waiting for a loved one during World War II or via the enormous number of movies using Union Station for location. Now restored by Catellus in concert with the City, Union Station is again the hub of a complex public transportation system in L.A. We are grateful to Catellus Development Corporation — and project manager Ted Tanner — for this opportunity to demonstrate the linkages between good design and historic preservation in such an appropriate example as Union Station.



Photo credit : Carlos von Frankenberg — Julius Shulman Associates © (from Margaret Bach's postcard series "Greater Los Angeles", Box 491372, L.A. 90049)

Union Station (Architects John and Donald Parkinson) opened in 1939 and was the last major train station completed in the United States. In tribute to the building and the architects, this year's program will highlight the Parkinson firm, now celebrating its 100th anniversary. Call CPF, or Trustee Ruthann Lehrer (310/570-6864) for event details.

## "Commissions at Risk" Workshops

In February 1994 CPF will sponsor three training workshops on Landmarks and Heritage Commissions: *Building Community Support For Heritage and Landmarks Commissions Through Education and Understanding of the Political Process*.

These workshops are specifically targeted to planners, commissioners and staff, city attorneys and elected officials, as well as preservation activists. The program will focus on the need to build and maintain community support for ordinances and commissions, differentiating the roles the public, staff and commissioners play in this educational and political process.

The program also covers the basics, such as model and minimum provisions for local ordinances, the Certified Local Government Program, incentives, essential tasks of local landmarks boards, and strategies for staff and city officials who may be facing budget constraints and owner objections.

Full day CPF member registration is \$65. Group discounts for community organizations and city or county officials and half-day registrations are available. Locations:

In Southern California —  
Claremont City Hall, Council Chambers,  
225 Second Street, Claremont.  
Date: **Friday, February 11, 1994.**

In Northern California —  
Historic Ralston Hall,  
College of Notre Dame campus, Belmont  
Date: **Friday, February 18, 1994.**

A third central valley location is pending.

The program flyer will soon be in the mail but, for further information on the agenda and registration procedures now, call CPF at (510/763-0972) and ask for Lisa Foster.



### President's Report— Wayne Donaldson

As an architect I am always looking forward to CPF's Design Awards program. We have already mailed out cards announcing the competition, but if you didn't receive one contact the Oakland office for the actual application form. The application deadline is January 18. This Design Awards event has grown in importance and is now a stand-alone program. The award winners — from all parts of the state — are always impressive and we are sure you will enjoy Union Station. See you there on February 26 !



With the year coming to an end I want to salute special people — our "Partners" — whose extra financial contribution helped us excel: Jane Carter (Colusa), David Charlebois (Walnut), Richard Fresquez (Monrovia), Charles Loveman (West Hollywood), Bob Mackenson (Yuba City), Richard Malekow (Pomona), Vincent Marsh (San Francisco), Knox Mellon (Riverside), GeeGee Platt (San Francisco), Jim Wilson (Newport Beach), Loring Wyllie & Degenkolb (San Francisco), and two who wish to remain anonymous. We are attempting, right now, to expand this group and I hope those of you who can, will join me and those above as 1994 Partners.

Most of you have also received an "End-of-Year Giving request." Please consider what CPF tries to do to help you in your town each year, and give generously enough so that we can continue doing it. I hope you all have happy holidays and that 1994 will be a great one for California preservation.

### Lisa Foster — A New Face at CPF

The Board of Trustees, and John Merritt especially, are delighted to have Lisa Foster working for the Foundation. John assured us, and he proved to be right, that Lisa is extremely bright, energetic and knowledgeable. She will make a big difference in carrying out CPF's mission.

Lisa is a California native, but recently earned a Masters of Arts degree in Building Conservation at the University of York (England) Institute of Advanced Architectural Studies. Her dissertation focused on handicapped access to historic buildings, a critical issue here particularly since passage of ADA. Lisa also found, soon after returning from England in September, that she had much to talk about with fellow York alum, Steade Craigo.



Additional talents Lisa brings to the job stem from her previous work as a practicing attorney with considerable litigation experience in San Francisco (she is a 1985 graduate of Hastings College of Law). Lisa joined CPF immediately after finishing at York, and she hit the ground running. Her background came in handy as her first task was to help plan and carry out legal workshops, "The Writ is Mightier than the Wrecking Ball," in Pasadena and Santa Ana.

The breadth and depth of Lisa's ability will greatly expand CPF's range of skills. We are pleased and proud to have her on staff and we hope you will soon have the opportunity to work with her and understand why.

## CHURCHES AND COMMUNITY (continued)

### Willie Brown gets religion, forgets Home Rule:

Local controversies about church demolitions are not uncommon but, appropriately, these decisions have been made locally. However, Speaker Willie Brown stepped into and all over this "home rule" principle. At the urging of San Francisco's Archbishop, Brown "borrowed" a bill from Assemblyman Tom Bates, gutted the bill to insert language that prohibited local governments from landmarking religious or non-profit owned property, ever. The source of the problem was the Catholic Church's fear that the City of San Francisco might prevent the Church from doing what it wanted with its property. A real estate issue was draped in constitutional "freedom of religion" garb, and local government throughout California was to be told how to manage its own affairs.

CPF learned of Brown's maneuver two days before his rewritten bill (now AB 133 — Brown) was to go to Senate Local Government Committee. Brown's staff, in order to get a rule waiver to hear this bill after deadlines had passed, had assured committee chair, Marian Bergeson, there was no opposition to his proposal. In part that was true ... because no one knew about it, or was supposed to find out in time.

CPF got on the phone, calling preservationists in San Francisco first. San Francisco State Senator Quentin Kopp was a member of Bergeson's committee and, if he heard from his constituents, he might lead the opposition. Senator Kopp heard from his constituents! He declared his opposition early and, along with a deluge of calls and letters from others, demolished Brown's suggestion to Senator Bergeson that there was no opposition. At the August 25 hearing, Brown was advised to come back next year ... after he had worked out the obvious problems he had with the very large number of people opposed to the bill.

Instead, Brown decided to use his position and knowledge as Speaker of the Assembly to get what he wanted in another way. On September 8 (two days before the end of the legislative session), Brown quietly amended revised language into a bill on the floor of the Assembly, grabbing SB 1185 (Bergeson), a "process streamlining" bill headed for certain passage. The amendment now only proposed a one-year moratorium on landmarking, beginning on January 1, 1994. The pernicious amendment was buried in a bill everyone supported, and it was impossible on Thursday in the Assembly, and in the Senate on Friday to vote only on Brown's church amendment. It was an all or nothing choice for many very concerned legislators.

SB 1185 had bi-partisan approval because it fit into the legislature and governor's economic incentives package for 1993, but it did get two no votes in the Senate, Quentin Kopp and Milton Marks, further indicating the anger of people in San Francisco over Brown's tactics. The Governor signed SB 1185 as expected, but we are told he was not happy about the Speaker's handling of the church issue.

The response and effectiveness of the San Francisco preservation community was extraordinary. Sacramento and L.A. preservationists contributed mightily, as did individuals and groups all over California. The preservation network actually stopped Brown's original bill in the Senate hearing. Despite our ultimate defeat, the damage was limited to a one-year moratorium on local landmark designations and the bogus "freedom of religion" language was dropped. The Planning and Conservation League (PCL) was a very visible ally in the latter stages of the fight and, together, we reached every member of the Assembly and Senate more than once, and in more than one way during the last two days of the session. Brown had to use all of his guile to satisfy only part of the Catholic Church's agenda. While local government may not be able to landmark churches for a year, other protective mechanism such as demolition moratoriums or the full application of CEQA to proposed demolitions are still available.

This issue may return in the 1994 legislative session (we are preparing for some variation on the theme). Some cities, such as San Francisco, have already moved to designate threatened churches before year's end in response to Brown's action. Since we don't expect this issue to go away, stay tuned. But be proud as well. California preservationists were able to act quickly, gather support in the legislature, and greatly diminish the impact of an extremely negative piece of legislation sanctioned by prelates and carried by the master of the legislature himself.

**The Sacred and the Secular, a workshop on Historic Religious Properties and Assembly Spaces**, deals specifically with the issues behind the Brown legislation. Scheduled for Saturday, January 29, 1994, and co-sponsored by all of the Bay Area preservation groups as well as the San Francisco Interfaith Council, the registration is low — only \$35. The workshop was designed to be a joint venture with the churches in San Francisco where more creative and reasonable solutions than SB 1185 could be explored. For more details contact the National Trust at (415/956-0610) or San Francisco Heritage at (415/441-3000).

## LAWSUITS ARE FREQUENT FLYERS

**Douglass Hall** — "Friends of Douglass Hall" filed a mandamus action in the San Mateo County Superior Court to require the Town of Atherton to do a supplemental EIR prior to demolition of the National Register-eligible Douglass Hall. The primary issue is whether the EIR should have explored an alternative to demolition which involved use of the State Historic Building Code. Since the demolition permit issuance was based on the high costs of restoration using "current codes," the SHBC should be utilized to see whether more reasonable repair costs can be developed which make restoration feasible. The court issued a temporary restraining order (TRO), followed by a preliminary injunction on November 17, 1993. Trial will occur in December or January.

**Hamilton Field** — The Hamilton Field Preservation Association filed suit in federal court last July to require the General Services Administration to reopen Section 106 review of the proposal for the Marin airbase prior to its sale to a private developer. The case is pending. In the meantime, the State Office of Historic Preservation has terminated consultation with GSA based on GSA's noncompliance with Section 106. GSA has asked the court for a 60-day extension to explore settlement with the Association.

President Clinton signed the Religious Freedom Restoration Act (RFRA) on November 16, and we are certain the implications will be blown out of proportion. The San Francisco Chronicle, for example, noted that this legislation would stop "... bureaucrats (who) meddled in church designs ... ." In fact, the RFRA essentially reaffirms the St. Bart's case where the United States Court of Appeals for Second Circuit agreed with the U.S. District Court that (1) the denial by the New York City Landmark's Commission of the church's proposal to demolish a Chapter House and build a highrise — and this is in downtown Manhattan — was not a "taking," nor (2) did it impose an unconstitutional burden on St. Bartholomew's ability to freely exercise religion (*Rector, Warden and Members of the Vestry of St. Bartholomew's Church v. City of New York*). The denial of the demolition permit and proposed new structure was a legitimate use of the city's police power. RFRA language requires a plaintiff to demonstrate that a government action places a "substantial burden" on the individual free exercise of religion.

**Rosenberg Department Store** — The Sonoma County Historical Society filed a mandamus action against the City of Santa Rosa to prevent demolition of the art deco Rosenberg Department Store; a hearing is set for March 1994. The City issued the demolition permit even though an EIR was prepared which concluded that demolition of the Store would have significant impacts on the City's historic resources, and that restoration was feasible from both a structural and economic point of view. The City's

demolition decision was based on the headaches it has controlling access by homeless people, and from pressure by downtown merchants who see the empty building negatively influencing retail ambience.

**Santa Rosa** — The Sonoma County Historical Society was sued by the owner of the **Flying A Gas Station** in Santa Rosa. The Society answered a referral by the City regarding a demolition permit and explained the history of the gas station. The City Planning Commission initially required an EIR, in part based upon the Society's input (the developer's own historic consultant agreed) but the Council granted the owner's appeal and allowed demolition without an EIR. The owner then sued the City and Society for the delay (this is called a SLAPP suit — Strategic Lawsuit Against Public Participation); the Society expects the case to be dismissed, opening the door for "SLAPP-back" action in which the Society can seek damages from the owner due to the damage caused by the original SLAPP suit.

In *Prentiss v. City of South Pasadena*, the City required Prentiss, owner of a Craftsman home in an historic district, to use the State Historic Building Code (SHBC) in design and construction of a home addition. Prentiss sued to be allowed to use the UBC and to choose a design deemed incompatible with the historic neighborhood. The local and appellate courts (in a published decision which is now precedent) held that, because South Pasadena had no local preservation ordinance related to construction of this type, the addition required issuance of the building permit — a "ministerial permit" — because the City had no "discretion" under CEQA to require use of the SHBC. (\*Note: this case does not apply to a situation where CEQA is invoked due to a local ordinance or other reasons, e.g., when a public project impacts historic resources or when a project is subject to CEQA for other reasons. In those cases, the SHBC applies if it will avoid loss of significant historic resources by making restoration feasible).

The **Glendora Preservation Foundation** sued the City of Glendora for demolishing a house determined eligible for the National Register without doing an EIR. The Foundation argued the National Register eligible building was historic for that reason alone, but was also automatically on the State Register as a result. A Superior Court judge initially ruled that the eligibility determination, without the participation of the Keeper, was incomplete and, without guidelines, there was no State Register. The Foundation sought "reconsideration" by the judge, hoping she would review material from OHP explaining why she got it wrong. An opinion is expected in mid-December.

## OTHER LEGISLATIVE NEWS

### CalPAW '94 Goes to the Voters

The signature campaign to qualify the California Parks and Wildlife initiative, an effort spearheaded by the Planning and Conservation League, was wildly successful. With over 720,000 signatures, CalPAW '94 will be on the June ballot. CPF has supported this effort from the beginning and we urge you to do the same.

CalPAW contains set-asides for "bricks and mortar" grants (\$10 million) and archaeology (\$5 million) to be administered by OHP. Grants to specific historic sites, museums, environmentally sensitive areas and recreational facilities — property within State Parks or previously identified by local agencies or non-profits — are earmarked, so this is one instance when voters will know for sure where the money is going. And much of it will be in your community's back yard.

PCL is now gathering additional endorsements from organizations like yours and from local newspapers; they are also seeking donations to help with further publicity. The AARP is a special target group, because seniors will greatly benefit from so many of the projects to be funded, and because seniors vote. If you belong to AARP, could you write them to get AARP support for this important measure? If you can assist PCL in any of these areas please call the statewide coordinator, Tim Dunbar at (916)444-8726 ext. 83.

**SB 158 (Thompson) and AB 1128 (Cortese) — California Heritage Lands Bond Act of 1994** — are companion measures that can still go to the voters in November of 1994, if CalPAW '94 fails. Both bills authorize bonds in the \$880 million range for forest acquisition, various land conservancies, and the Department of Parks and Recreation. Returning to the pattern established in previous bond acts, both bills create an additional set-aside with \$10 million for local "A&D" grants to be made by OHP.

### Wilson Veto Kills Redevelopment Bill

**AB 981 (Hauser)**, calling for historic surveys in all new redevelopment areas, made it to the Governor's desk. We were pleased that so many organizations, a number of them being redevelopment agencies, wrote in support of this bill. The Governor's veto message, calling the bill's purpose laudable, suggests that the normal CEQA process made this bill unnecessary.

We feel that the "normal CEQA process" is the problem, not the solution. AB 981 mandated agencies to be proactive in identifying historic resources and, then, to do something to incorporate those properties into future plans. Local mandates were not popular in Sacramento this year, and that may be a more precise reason why this bill was vetoed.

### Other Sacramento Action

Assemblyman Dan Hauser's bill (**AB 604**), deleted a provision from a bill passed last year that required title recordation be completed before any historic designations could, legally, come into effect .

A plethora of bills to "streamline" the CEQA process were introduced under the "stimulate jobs, cut red tape" rubric this year. While two — **AB 1888 (Sher)** and **SB 919 (Dills)** — passed and were signed, neither were viewed as particularly damaging by the environmental community but were, instead, procedural tinkering. We can expect more attacks on CEQA in the next session.

### State Register Progress Report

A broad-based group of interested organizations, including CPF, have been meeting as a State Historical Resources Commission subcommittee to develop **State Register Guidelines**. We are hopeful that the State Register program will be fully operable early this next year.

The major focus of the subcommittee has been the State Register's CEQA implications ... and a concerted effort has been made to help local government clearly identify what has changed in the law, and how potential adverse impacts on existing or eligible State Register properties should be handled. The Guidelines will also cover broader questions of eligibility, of integrity, the particular circumstances regarding local surveys, the nomination procedure and, finally, the role of local government in the process.



## WRIT WRAP-UP: Engaging Discussions and Practical Advice Highlight Legal Workshops

On November 18 and 19 CPF conducted two successful legal issues workshops for lawyers, planners and community preservationists. The Writ Workshops provided essential training for all of those who play a role in stopping the demolition of historic buildings and other resources. Each of the speakers submitted outlines or topic summaries which have been included in a 50-page workshop handbook distributed to participants. Copies are still available from CPF for \$10.00 for those of you who missed the workshop (CPF also plans to publish expanded conference proceedings late February 1994).

### "The Sword and Shield of the California Register"

The first morning session in Pasadena opened with an overview of the prelitigation considerations. The discussion focused on the role of the new California Register of Historical Resources, Public Resources Code section 5024.1(a). Bill Delvac explained how the recently enacted California Register can be a powerful new tool in prompting review before demolition can be granted. Resources which are eligible for the California Register are *per se* significant for the purposes of CEQA. He commented on the success in achieving a state recognition program, but warned of the risks of too much focus on the Register.

This prompted a discussion of the need to clarify that *eligibility* for the California Register means in legal jargon a *safe harbor*. Mr. Delvac stressed that the existence of a state Register means that preservationists need to understand that *eligibility* for the Register is not required in order to trigger CEQA review. The general standard of impact under CEQA continues to apply despite the existence of the Register. He cautioned that intentional misuse of the Register by those seeking demolition (or the lack of clear understanding by preservation lawyers, planners and activists of how the Register works with CEQA) can enable some to turn the Register into a sword in favor of demolition. The conclusion was that adoption of the California Register did not change the basic law that buildings are significant because of their intrinsic qualities. While eligibility for the Register is conclusive evidence of potential significant environmental impact, there is concern a determination of non-eligibility can make it more difficult to prove significance. Workshop participants found this discussion a valuable clarification of the new Register's role when demolition is threatened.

## Superior Court and Appellate Review

In "moving to Superior Court," both Antonio Rossmann at the Pasadena workshop and Karen Lee in Santa Ana emphasized the importance of the Administrative Record and current case law exempting or requiring bonds in preservation lawsuits. They offered practical advice on what items from public files and council or planning department hearings should be transcribed, and included in the administrative record. Both also offered strategies for plaintiffs facing court actions to minimize the preparation costs and time, important considerations when writ action may be necessary to halt the wrecking ball.

In Pasadena, Mr. Rossmann offered his comments on the Court of Appeal's decision in Prentiss v. City of South Pasadena. Although the audience declined to follow him down the street to see the Prentiss house, he did provide insightful commentary on the reasons behind the court's ruling that South Pasadena lacked authority to impose the Historical Building Code over the owner's objection. Mr. Rossmann then engaged the participants and panelists in an enlightening although disheartening discussion on the judicial climate for preservation and environmental lawsuits.

CPF wishes to thank each panelist who donated their time both in preparing materials for the workbook, and their presentations during the workshop: Susan Brandt-Hawley, Robert Dato, William Delvac, Benjamin Haddad, Karen Lee, Antonio Rossmann, Jack Rubens, Dwight Worden, Deborah Rosenthal who prepared two good topic summaries but was unfortunately ill the day of the event. Please contact CPF if you are interested in a copy of the workshop handbook or the final proceedings.

*notes by Lisa Foster*

The National Trust journal, *Preservation Forum* (July/August 1993 issue), is devoted to the related legal/political question of property rights vs. historic preservation. Property rights and "takings" claims, along with renewed demands of owner consent in designations, have again become hot issues. Court cases, such as the Nolan, First English, and Lucas cases which we have reported on in the last several years, have obscured the legal landscape with opinionated smoke bellowing from property rights enthusiasts. The articles in this issue of *Preservation Forum* will help you see more clearly, and help you better prepare for these arguments which are becoming more and more strident, and will not diminish.

## STOCKTON'S GRAND HOTEL

Pasadena Old Town developers Gene and Marilyn Buchanan (G.G.&M. Construction) have teamed up with Stockton preservation pioneer W.T. Hull to submit the winning proposal to restore downtown Stockton's premier landmark, the Hotel Stockton. The Stockton Redevelopment Commission will give the team a reasonable time period to round up financing, do final feasibility studies and gain approval from the County of San Joaquin which actually owns the landmark.

Hull, with three generations of roots in Stockton, has completed several tax act conversions of historic properties to senior citizen housing. The Hotel Stockton is his largest undertaking by far, but he is inspired. "I've had a love affair with this building since 1981," he said. Hull wants to help restore pride in a city that began in 1848 as the southern gateway to the goldfields, but now depends on agriculture and the Port of Stockton as the economic basis for this city of 221,000 people.

The Hotel Stockton is key to the revitalization of the downtown which is experiencing severe competition from regional malls and commercial sprawl, crime, a homeless population and too many vacant buildings. A variety of studies have analyzed ways the downtown can reclaim its role as a destination place and community

center. All point to capitalizing on the city's neglected and ignored cultural resources. Dick Callistro, the county's capital projects manager and Stockton native, echoes this sentiment that preservation is an essential revitalization ingredient: "This project is a joint city-county effort for a common goal of restoring the hotel and thereby contribute to downtown Stockton's economic health."

The Hotel Stockton is a glorious 1910 Mission Revival —111,275 square feet of ground floor shops, spectacular two-story lobby with 15-foot high "Indian motif" fireplace, a 10,000 square foot roof garden with a spectacular view of the busy shipping channel, and a ballroom and 252 guest rooms scattered on three floors. In its 1920s -1940s heyday guests arrived on river boats and danced the evening away to live music of big bands. An exciting prospect under discussion is the removal of the parking lot to allow the Stockton deep water channel to reclaim its historical place across El Dorado Street from the Hotel.

With the hotel in decline, the County of San Joaquin purchased it in the mid-1960s for \$700,000 and used it for offices until a new courthouse and the county's social services building were completed. Fortunately, the county made few changes and the removal of these will reveal again coffered ceilings

and other decorative elements.

The Hotel Stockton holds a special place in the memories of older Stocktonians and politicians like Councilwoman Sylvia Sun Minnick who said: "We don't want this grand old lady to lie down and die." The *Stockton Record* has offered "a hearty 'Amen'" to developer Hull and G.G.&M. Construction's plans for restoring the 83-year-old concrete and stucco building to its original splendor as a first class hotel with a promenade of restaurants and ground floor retail shops.

It is estimated that the Hotel Stockton's return to glory will take about \$11 million primarily for extensive roof repair (the roof is red metal tiles that resemble Spanish clay tile), facade/window restoration, replacement of portions of the mechanical and engineering systems and seismic upgrading. However, the city, through redevelopment, and the county with a generous lease-purchase deal, have a kit bag full of developer incentives, including: Mills Act property tax reduction, investment tax credits, facade donation credits, loans and special development assistance such as land write-downs, gap financing and infrastructure improvements, and state and local tax incentives peculiar to the newly-formed Enterprise zone.

*story by Sharon Marovich*





## THE BELMONT: In San Mateo Reuse Equals Revitalization

A cornerstone of the City of San Mateo's downtown revitalization strategy is the creation of affordable housing. The Redevelopment Agency has already helped save many vintage buildings for new restaurant and retail uses, but producing downtown housing has been difficult, despite zoning ordinances which encourage it. The culprit has been the lack of available sites and high land costs.

Interestingly, the desire to address another impediment to downtown preservation, the seismic retrofit of unreinforced masonry buildings, sparked the concept of residential conversion. If the City was considering making below-market loans to finance retrofits, and if some of these commercial buildings had underutilized second-story space, why not convert this space to affordable housing as part of the rehabilitation package?

The first opportunity to test the viability of the conversion idea occurred at the Belmont Building, a 1900-vintage mixed-use brick building located at a key downtown intersection. The property owner was receptive to residential conversion as long as the building's projected cash flow remained level. The City was interested in creating very low-income rental housing for as long a term as possible. These objectives both served as the baseline for negotiating the financing.

A Request for Proposal was distributed for architectural assistance and a local firm, Sinclair Associates, was selected. The property owner selected San Francisco based Block Development Company to serve as his agent in selecting a builder and coordinating construction in collaboration with City staff. Design and preservation parameters were to complete exterior modifications

in accordance with the "Secretary's Standards," to create six livable second-story apartments, and provide for full seismic upgrades and fire sprinkling. Over the course of the building's ninety years, it had undergone a number of facelifts. After researching local historic association archival photographs, it was decided to return the building to its 1930s appearance. Although significant alterations had occurred since 1930, this level of restoration required the least amount of modifications to historic building elements that had become significant in their own right.



After design issues were settled, a financial package was taken to the City Council — a total of \$800,000 in San Mateo Redevelopment Agency and Community Development Block Grants (CDBG) funds. After the project was approved, the loans were closed and a 40-year rent agreement was recorded against the property title, specifying that the apartments be affordable to households earning up to 50% of the area median income. Expecting that the probable economic life of the apartments is approximately 40 years, the loans convert to a grant at the rate of 10% per year starting in year 31 until fully forgiven in year 40.

One of the concerns voiced at the public hearing when the Belmont proposal was being considered by

the City Council was that creating affordable housing in the building would serve as a disincentive to ground-floor retailers. This fear has not materialized. In fact, the opposite has occurred, perhaps as a result of exterior preservation improvements. For example, at the prime corner retail space, an upscale pizza restaurant invested \$250,000 in private dollars for interior improvements, and business has been brisk. Elsewhere along the ground floor, there are no vacancies at any of the seven other commercial spaces.

Another surprise is the occupants.

All six of the affordable apartments are leased to downtown service workers. Two work downstairs in the new pizza restaurant, one works five blocks away at a thrift shop, and the remainder do off-hour custodial work for various downtown businesses. Most of these workers earn \$6 to \$10 an hour. In essence, what the Belmont Building project has done is to provide housing for a labor force necessary to support the Agency's other revitalization and economic development goals.

*story by Robert Muehlbauer, Housing and Economic Development Coordinator, City of San Mateo — CPF workshops will be exploring the affordable housing issue in 1994, and the Belmont is a terrific model for smaller cities.*

## SACRAMENTO: State Capital and 1994 Conference City

Considering Sacramento is the State Capital, it's easy to lose sight of the fact that Sacramento is a city with multiple personalities. Sacramento is the political center of California, but Sacramento has also become the hub of a growing region. Sacramento is still the historic home of the Gold Rush era, and significant remnants of that past have been preserved and restored. Sacramento still has its country town ambience just blocks away from the Capitol and downtown — in neighborhoods of turn-of-the-century homes and stately elm trees. Sacramento is still the River City and the American River Parkway makes this urban area more attractive than ever. And, Sacramento has changed since the last preservation conference, with attractions both new and old for the visitor.



**The Leland Stanford Mansion**  
(photo credit: GHI Architects)

The National Landmark Stanford Mansion, the E.B. Crocker House Annex of the Crocker Museum and the Heilbron Mansion have been opened to the public, and will be a part of the conference sites.

The Stanford Mansion has been open for limited tours featuring the "Above ground archeology — A Discovery tour" since 1988 and

many of the secrets of the house have been opened up for discovery. These will not be open for long since funding for the restoration has been raised by the Stanford Mansion Foundation and the restoration may commence by this summer.



**Crocker Art Museum** (photo: Sacramento Convention & Visitors Bureau)

The Crocker Annex, the remnants of E.B. Crocker's 1860s home, was turned into a modern art gallery. The exterior of this structure was returned to its 1880s appearance. One room of the gallery was developed as an interpretive museum allowing display of some of the original Crocker furnishings.



**Governor's Mansion** (photo: Sacramento Convention & Visitor Bureau)



**Typical Sacramento old city street-scape** (photo: Paula Boghosian)

Our opening reception will be held in the wonderful Heilbron Mansion. This 1881 mansion is now a cultural center for La Raza Bookstore and La Posada Gallery.

On the Sacramento Riverfront the Delta King Riverboat has been restored as a bed and breakfast. Arrangements have been made with the Delta King, as with all of the bed and breakfast lodgings, for special conference rates. The Hartley House, Amber House, Stirling Hotel, and Driver Mansion will provide the most exquisite rooms for visiting preservationists.



**Old Sacramento on the River's edge** (photo: Sacramento Convention & Visitors Bureau)

We have been planning some fantastic tours of Sacramento and the region, including a special Art of the State Capitol tour, trips to the foothills, a home tour, a wine tour, a down and dirty political bar tour, a rafting trip on the American River, bicycle tours of the parkway and perhaps even an antique boutique tour. And, of course, walking tours around town and through our fine neighborhoods.

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### CPF ADVERTISING OPPORTUNITIES

CPF is pleased to offer excellent opportunities for businesses and organizations to reach preservation-minded consumers statewide. Business card-sized advertisements are now being accepted for the quarterly newsletter and for materials distributed at the Annual Preservation Conference.

*California Preservation* reaches thousands of readers, including architects, developers, historic building owners, local government officials and preservation advocates.

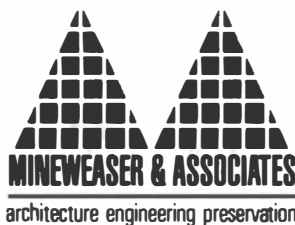
The Annual California Preservation Conference is the major gathering for those in the preservation field. In recent years, the conference has drawn between 500 and 1000 participants; your advertisement in CPF materials will reach professionals and enthusiasts from the public, private and non-profit sectors. The fee schedule follows:

Newsletters: \$ 50 each, 4 for \$150  
Annual Conference: \$150  
Both opportunities above: \$250

All advertising is subject to the approval of the California Preservation Foundation. If you want more details, or want to take advantage of this offer, please write or call the CPF Oakland office.

This newsletter was brought to you through the combined talents of Susan Brandt-Hawley, Milford Wayne Donaldson, Lisa Foster, Michael Krakower, John Merritt, Robert Muehlbauer, Richard Price and Tom Winter. Your contributions to this newsletter are also welcome. Send us your articles, and include a photo (black and white glossies) to illustrate the story.

**NEXT NEWSLETTER DEADLINE — FEBRUARY 1**



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**CPF could not survive without the loyal support of these contributors who, like you, continue as members year after year. We are grateful !**

## Remember Angels Flight ?

The restoration and rehabilitation of Angels Flight Railway in downtown Los Angeles is underway at several venues. Originally built in 1901, the funicular transportation system was reported to be the world's shortest railway. The new track length will be about three hundred feet long and will travel up a 19 degree incline constructed of reinforced concrete to match the original trestle. The original wooden cars have been preserved and the chassis are being retrofitted with steel to accommodate the new cable, axles and braking systems while not disrupting the historic wooden fabric. Disabled access provisions will be provided in one car and exiting and safety requirements will be integrated to conform to Public Utility Commission and Los Angeles Building Code standards.



**Angels Flight, as it was before being dismantled to allow for the redevelopment of Bunker Hill (photo credit: Security Pacific Historical Photograph Collection)**

The original unreinforced concrete arch monument and station house at the top and bottom of the trestle will undergo earthquake hazard reduction and architectural restoration. Both facilities will have to be relocated to their final position by moving contractors. The station house will rest on an extension of California Plaza, a large office building and plaza. Drive mechanisms for the cars will be housed one level below the station and the original operating

equipment will be renewed inside the station house for display purposes only. The arch will sit against the Hill Street sidewalk and the queuing areas at the top and the bottom will contain disabled access provisions as well as interpretive displays of the railway's history and artifacts. It is envisioned that the railway will link the new Metrorail station and restored Grand Central Market at Hill Street with the commercial areas at the top of Bunker Hill.



Glendale's Alex Theatre will celebrate its grand Reopening on New Year's Eve. Saved as a result of citizen action and ultimate purchase by the Redevelopment Agency, this is one of the great success stories. For tickets to this Gala call (818) 552-5263. (photo: Glendale Historical Society)



This year's favorite calendar — with nifty Arroyo-edge buildings and bungalows like this — comes from The Eagle Rock Association ... available from T.E.R.A. ( P.O. Box 41453 Eagle Rock, CA 90041-2912) for \$12 (which includes shipping & handling).

## More Seismic Codes Coming Your Way — new foundations

A new residential earthquake hazard reduction ordinance, "Prescriptive Seismic Strengthening Provisions for Light Framed Residential Buildings, Appendix Chapter 5 of the Uniform Code for Building Conservation, is being developed by a committee of California Structural Engineers. Proponents want to speed up damage assessment and reduce the need for emergency housing following strong ground shaking.

Originally, the document focused on weak foundation systems where the first floors are raised several feet above the grade. Often the construction between the floor and foundation is more flexible than the construction above this level. During earthquake shaking there are numerous examples of damage to this type of system, and chimney damage is often concurrent.

Critics of the document are concerned that the present draft is far broader and more restrictive than codes for new foundations, and are concerned about the costs to owners of vintage houses who try to meet the new requirements.

Adoption of this document will be up to the local political and building authorities. It will be a couple of years before proponents can get the document formally incorporated into the code. In the meantime, it would be useful to be aware of this document and urge your local authorities to study it very carefully before adopting it or a form of it. There is great potential for a serious economic impact on the historic properties within the total housing inventory in your town.

*story by Michael Krakower*



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We are sorry to report the untimely death of Benjamin Nistal-Moret, whose ads have previously appeared in this space. Benjamin was a highly respected Architectural Conservator with offices in Santa Barbara. We were particularly appreciative of his interest in and support of CPF.

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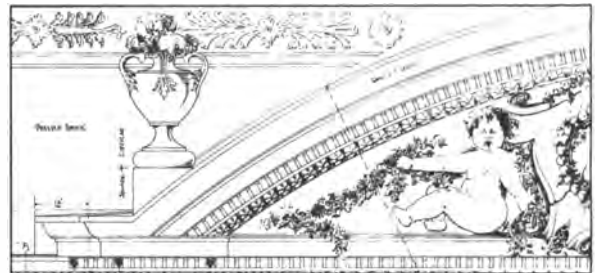
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**CALIFORNIA PRESERVATION FOUNDATION FINANCIAL STATEMENT - Fiscal Year 1992/93  
ASSETS, LIABILITIES AND FUND BALANCE — As of June 30, 1993**

**ASSETS**

General Operating Fund	\$ 23,622.50
Conference Funds	34,436.84
Petty Cash	36.94
Endowment (Easement) Fund	23,252.05
Equipment-Net	2,570.50
Prepaid Expenses	400.00
<b>TOTAL ASSETS</b>	<b>\$ 84,318.83</b>

**LIABILITIES AND FUND BALANCE**

Endowment Trust	\$ 23,252.05
<b>FUND BALANCE</b>	<b>\$ 61,066.78</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ 84,318.83</b>

Report prepared by Ted Savetnick (CPA) and presented to Board of Trustees at FY 1993/94 "Organizational Meeting."

**ARE YOU PART OF THE SOLUTION ?**

The Board of Trustees and staff of the Foundation are dedicated to helping local preservationists succeed. Do feel free to call our Oakland office for assistance ... or contact a board member in your area. We also need your help as we all work hard to **IMPROVE THE CLIMATE FOR PRESERVATION IN CALIFORNIA**. If you would like to host a CPF membership event in your community, please contact our office at (510)763-0972.

**SOLUTION — JOIN CPF !**

To be fully aware of Foundation activities and to receive newsletters or other mailings, you must become a CPF member. CPF tries to provide levels of membership nearly everyone can afford. We assure you, your tax-deductible contribution keeps us here working for you.

**NEW MEMBERSHIP CATEGORY**

In order to accommodate two people living in the same household, CPF is now offering a new reduced "Family" rate at \$50. Past confusions about who the "individual member" actually was should be resolved. Both people in the "family" are members !

**MEMBERSHIP OPPORTUNITIES**

**Individuals and Libraries** may join CPF at the \$35 "individual" rate.

**"Family"**, a new category, covers both adults in your household for \$50.

**"Sponsors"** (\$150) are those who really like what we do and want to give more.

The **"Partners"** category (\$500) is CPF's special donor group, and Partners are afforded special benefits - call for more information.

**Non-profit organization** dues are \$75. All board and staff will receive program (workshops and conference) discounts.

**"Government" and "Business"** categories are \$100. The rate includes automatic membership benefits for all those associated with the government or business entity, such as board members and staff assigned to a Landmarks Commission.

**"Full-Time Students" and "Senior"** rates are \$20, and we hesitate to decide for you when it is that you become a "senior," but suggest 60.

**HELP STRENGTHEN PRESERVATION IN CALIFORNIA — BECOME AN ACTIVE MEMBER OF CPF !**

Your contribution helps support workshops, research, publications, legislative efforts, conferences and direct local assistance. Clip and send this coupon with your tax-deductible membership contribution to the California Preservation Foundation, 1615 Broadway, Suite 705, Oakland, CA 94612.

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I am interested in state legislative issues; put me on the CPFAN (CPF Action Network) list.

**MEMBERSHIP CATEGORIES:**

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Student or Senior (over 60) <b>MEMBER</b> —	\$20.00
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### UPCOMING CPF PROGRAMS TO REMEMBER

**Heritage Commissions at Risk, three locations: Claremont (Friday, February 11) Belmont (Friday, February 18) and a Central Valley location (date still to be determined)**

**The 11th Annual Design Awards, L. A. Union Station, Saturday, February 26, 1994**

**A Capital Idea — 19th Annual Preservation Conference in Sacramento, May 18 - 22, 1994 ... say, isn't this election year in California ?**



(photo credit: Sacramento Convention & Visitors Bureau)



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