

RESOLUTION NO. 2023-34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CORONADO, CALIFORNIA UPHOLDING THE
DETERMINATION OF THE HISTORIC RESOURCE
COMMISSION THAT THE PROPERTY AT 335 ALAMEDA
BOULEVARD MEETS THE CRITERIA TO BE DESIGNATED AS
A CORONADO HISTORIC RESOURCE**

WHEREAS, on August 9, 2022, the property owner submitted a complete Determination of Historic Significance for the property in accordance with Chapter 84.10 of the Coronado Municipal Code; and

WHEREAS, on October 19, 2022, the Historic Resource Commission of the City of Coronado held a public hearing on HR 2022-18 at which time all persons desiring to be heard were heard, and determined that the property addressed as 335 Alameda Boulevard is historically significant, and adopted resolution HR 31-22 formalizing their findings that the property meets the criteria to be designated as a Coronado Historic Resource in accordance with Section 84.10.030 of the Municipal Code:

- a) No evidence was presented or discovered that indicates that the property exemplifies or reflects Special Elements of the City's military, cultural, social, economic, political, aesthetic, or engineering history; and
- b) No evidence was presented or discovered that indicates that the property is historically significant under Criterion B for its association with a person or event that is significant in local, state, or national history; and
- c) The dwelling on the property is an example of the Spanish Colonial Revival style, and exhibits many character defining features of the style, including: an asymmetrical façade; an L-shape plan; simple rectangular massing; two stories in height; an outdoor courtyard; low-pitched cross gabled roof; minimal eaves with little to no overhang; a red Mission (half-cylinder) clay tile roof; painted white stucco exterior walls; walls that extend into gable without a break; fenestration irregularly placed and recessed; a wrought iron balcony; an elaborate chimney top; and decorative vents; and has not been substantially altered; and
- d) The dwelling on the property is an example of the notable work of the builder Oscar W. Dorman, as it is an important and remarkable demonstration of Dorman's understanding of the Spanish Colonial Revival style when compared with other works constructed by him; incorporates a combination of distinct character defining features of the style; and continues to exemplify Dorman's original work as it is minimally modified and retains architectural and material integrity from the time of construction; and
- e) The property has not been listed or formally determined eligible for the California Register as set forth in Section 5024.1 of the California Public Resources Code.

WHEREAS, on October 28, 2022, the property owner submitted an appeal hearing form to the City Clerk's office appealing the Historic Resource Commission's decision that 335 Alameda Boulevard meets the criteria to be designated as a Historic Resource, and on

February 21, 2023 submitted additional information including historic photographs of the property; and

WHEREAS, on August 15, 2023, the City Council of the City of Coronado conducted an appeal hearing in accordance with Chapter 1.12 of the Municipal Code to consider the appeal of the Historic Resource Commission's decision that 335 Alameda Boulevard meets the criteria to be designated as a Historic Resource; and

WHEREAS, evidence was submitted and considered to include without limitation:

1. City Council staff report and attachments dated August 15, 2023;
2. Appeal dated October 28, 2022;
3. Oral and written testimony;
4. Additional written information, exhibits and photographs provided by appellant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. By a vote of _ in favor and _ opposed, the City Council of the City of Coronado hereby upholds decision of the Historic Resource Commission, and finds that the property as described in the City Council staff report dated August 15, 2023, shall not be designated as a Coronado Historic Resource because it does not meet two or more of the adopted designation criteria:

- a) No evidence was presented or discovered that indicates that the property exemplifies or reflects Special Elements of the City's military, cultural, social, economic, political, aesthetic, or engineering history; and
- b) No evidence was presented or discovered that indicates that the property is historically significant under Criterion B for its association with a person or event that is significant in local, state, or national history; and
- c) The dwelling on the property is not an unaltered or minimally altered example of the Spanish Colonial Revival style due to alterations to the front façade including removal of the stucco visor over the second-floor window, and replacement of the original shutters and front door that are not in-kind; and
- d) The dwelling on the property is not an example of the notable work of the builder Oscar W. Dorman, because the subject property does not rise to the level of "important or remarkable" within Dorman's large body of work as several details and features of the front façade are visibly and materially different from his original 1926 design; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Coronado hereby overturns the decision of the Historic Resource Commission, and determines that the property does not meet the required criteria to be designated as a Coronado Historic Resource, with the following condition:

1. The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not

limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by the Applicant.

NOTICE REGARDING JUDICIAL REVIEW: The City Council decision is final unless a petition for a writ of mandate is timely filed. The time within which judicial review of this decision must be sought is governed by the Code of Civil Procedure Section 1094.5, which has been made applicable in the City of Coronado by the Coronado Municipal Code, Section 1.12.080. Any petition or other papers seeking judicial review must be filed in the appropriate court not later than the ninetieth (90th) day following the date on which this decision becomes final. This decision is final upon the adoption of this resolution.

PASSED AND ADOPTED by the City Council of the City of Coronado, California, this fifteenth day of August, 2023, by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

RICHARD BAILEY, Mayor of the
City of Coronado, California

ATTEST:

KELSEA HOLIAN, City Clerk of the
City of Coronado, California