



City of San Juan Bautista

The “City of History”

www.san-juan-bautista.ca.us

AGENDA

SPECIAL JOINT MEETING OF THE CITY COUNCIL AND THE HISTORIC RESOURCES BOARD

CITY HALL COUNCIL CHAMBERS
311 Second Street
San Juan Bautista, California

TUESDAY ~ APRIL 2, 2019

In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.

1. **Call to Order** **5:30 PM**
 - Pledge of Allegiance**
 - Roll Call for the City Council**
 - Roll Call for the Historic Resources Board**

2. **Action Items**
 - A. **Approve Affidavit of Posting Agenda**
 - B. **Steps to Address Public Safety Issues Identified in the Notice to Abate, 107 Third Street, La Casa Rosa**
 - i. **Staff Report: Interim City Manager Tewes**
 - ii. **Public Comment**
 - iii. **Possible Recommendation by the Historic Resources Board:**

Consider the report and adopt a recommendation to the City Council
 - iv. **Possible Action by the City Council:**

Consider recommendation of the Historic Resources Board and

 1. Direct the City Manager to abate the public safety hazard
 2. Appropriate up to \$6000 from unappropriated General Reserves to pay for the costs of staff time, engineering analysis, and construction of the repairs
 3. Direct the City Manager to take all steps necessary to recover the costs from the property owner through a special assessment or lien

4. **Historic Resources Board: Adjournment**
City Council: Adjournment

AFFIDAVIT OF POSTING

I, LAURA CENT, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA, AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED CITY COUNCIL/HISTORIC RESOURCES BOARD SPECIAL JOINT MEETING AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 28th DAY OF MARCH 2019, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA, ON THE 28th DAY OF MARCH 2019.



Laura Cent, City Clerk



CITY OF SAN JUAN BAUTISTA CITY COUNCIL/HISTORIC RESOURCES BOARD STAFF REPORT

AGENDA TITLE: **Action Steps to Address Public Safety Issues at 107
Third Street, La Casa Rosa**

MEETING DATE: April 2, 2019

RECOMMENDATION:

1. Authorize the City Manager to take the steps recommended by the Chief Building Official which will secure the “balcony/porch”
2. Appropriate \$6000 from unappropriated General Fund reserves to cover the costs of engineering, staff time and actual construction.
3. Direct the City Manager to compile all appropriate costs and take steps to recover reimbursement from the property owner including a special assessment or lien if necessary

BACKGROUND:

The property owners of Casa Rosa have failed to heed orders and citations to cease work undertaken without a building permit, and to make safe the public sidewalk beneath the balcony/porch.

Following a public hearing the Council considered the report of a structural engineer and adopted “Resolution No. 2019-09: A Resolution of the City Council of the City of San Juan Bautista After a Public Hearing Declaring the Condition of the Building at 107 Third Street, San Juan Bautista to Constitute a Public Nuisance and Ordering Abatement of Said Nuisance to Protect Citizens and Their Property from Conditions that Threaten Public Health, Safety and Welfare and Assessing the Cost of Abatement” authorizing the City Manager to make the necessary public safety repairs and seek recovery of costs.

On March 12, 2019 the Historic Resources Board considered a request by the City Manager to provide input on various options including those that would preserve the balcony/porch and those that would remove and store the balcony/porch for later inclusion in a comprehensive effort of renovation in accordance with the Historic Building Code. During the meeting, the HRB heard from a potential contractor who had inspected the building for “constructability” of

the necessary repairs. That contractor, at his own expense, asked a second structural engineer to evaluate the building.

Both engineers identified issues with the building that justify the continuance of a “red tag” which prohibits occupancy of the building.

The Chief Building Official has reviewed the engineering reports and has personally inspected the building on three occasions. In the attached he recommends that the immediate repairs be focused on the public safety issues impacting the sidewalk. Revised plans will be submitted, a building permit issued and a contract awarded to a licensed contractor who can make the necessary repairs which will preserve the balcony/porch pending the ultimate historic restoration which will need to be undertaken by the property owners.

ATTACHMENTS:

CBO letter

Staff report and Duquette report from hearing



City of San Juan Bautista

The "City of History"

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City Council

Mayor

César E. Flores

Vice Mayor

Mary Vazquez Edge

Councilmember

John Freeman

Councilmember

Dan DeVries

Councilmember

Leslie Q. Jordan

Interim City Manager

J. Edward Tewes

City Clerk

Laura Cent

City Treasurer

Chuck Geiger

March 21, 2019

Ed Tewes, Interim City Manager

City of San Juan Bautista

P. O. Box 1420

San Juan Bautista, CA 95045

Mr. Tewes:

You have asked me to visually inspect Casa Rosa and review all available documentations in order to provide a recommendation on what actions should be taken by the City to address the Notice to Abate dated January 22, 2019 for 107 Third St.

On November 8, 2018 the City of San Juan Bautista retained Duquette Engineering for the purpose of visually inspecting and providing their findings to the City. I have also reviewed the testimony to the Historic Resource Board on March 12, 2019 by a potential contractor and a set of recommendations from GMD Engineering. I have personally inspected the building on three occasions including as recently as March 21, 2019. The most recent inspection was to determine if the reported termite damage would alter Duquette's recommended actions and to inspect the connection of the balcony to the building.

As a result of this review, I recommend the following:

- 1) Duquette Engineering should revise their proposed plans for making the public sidewalk safe by incorporating additional measures to secure the balcony. The attachment at the building needs to be addressed. It appears that the balcony is pulling away from the building. When the engineer addresses this with engineered stamped plans, a Building Permit can be issued based on those plans.
- 2) The building should remain "Red Tagged" and unsafe for occupancy. Both engineers have made appropriate suggestions for action to be taken necessary to remove the "Red Tag" but those steps are not necessary to meet public and safety concerns regarding the public sidewalk, which was the focus of the Abatement Order.
- 3) In light of the property owner's refusal to address the notice and order, I recommend that the City immediately hire a licensed contractor to conduct the necessary work insuring the safety of the public sidewalk, compile the full cost of the work and staff time involved, and submit those costs to the County Tax Collector to be reimbursed through the property tax bill.

I will be available at the Joint Historic Resource Board/ City Council meeting on April 2, 2019 to answer any questions.

Respectfully submitted,

Greg Johnsen
Building Official
San Juan Bautista

December 10, 2018

City of San Juan Bautista
Planning Department
311 Second Street
PO Box 1420
San Juan Bautista, CA 95045

Attention: Todd Kennedy

Subject: 107 3rd Street, San Juan Bautista, California

Duquette Engineering made a site visit to the subject property on November 20, 2018. We were able to gain access to both the exterior and interior of the structure. Our observations are as follows;

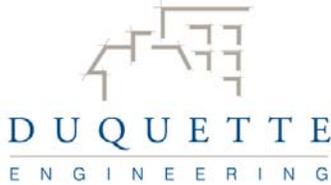
General Conditions

- Construction on the project was started and then has stopped.
- The large additions in the rear of the property have all been demolished, leaving the rear wall and foundation of the historic portion of the building open, loose plywood has been placed over the opening in the wall.
- The interior finishes in the historic portion of the building have all been removed.
- A large area of the first floor has been removed and a foundation strengthening has been poured along the front wall. No details for this work were provided.

Safety Risks

In general there are three areas of risk;

- 1) Life safety risk to the occupants. Since the building is unoccupied at this time and conceivably will remain so until construction is completed there is no life safety risk to occupants. The condition of the building is what would be industry standard for any construction project of this type.
- 2) Life safety risk to the public or neighboring properties. The overall structure should not be considered dangerous. The existing siding provides sufficient lateral bracing to make the structure stable. There are two areas of concern;
 - a. The existing unreinforced chimney is unbraced. The risk to the public is low but in a seismic event it will most likely collapse into the side yard.
 - b. The front porch cover/second floor balcony is not showing any sign of distress but there are areas of significant rot on the outer edge. This edge is where the diagonal braces attach. The concern is that the deterioration might cause a failure. Since this front porch cover/second floor balcony is over the public R/W it would seem prudent to provide a secondary support until repairs and an engineered solution that allow the structure to remain as it was originally constructed. This is a condition that exists in the front of many of the buildings on Third Street. Most have already provided this type of support. Please see the attached sketches.



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- 3) Risk to the historic resource. This structure is a part of the historic downtown and steps should be taken to insure that this historic building will remain a part of the downtown well into the future. There are several conditions that pose a risk to the structure itself. These conditions are often tolerated for a short time during the construction process but in this case construction has stopped and it does not appear that it will begin again for some time. Steps should be taken to mitigate further damage to the building in the following areas, some of which have already been mentioned above;
- a. The unbraced unreinforced chimney.
 - b. The rot in the front porch cover/second floor balcony.
 - c. The lack of interior finish. The existing walls are only braced by the existing straight siding. Siding is sufficient to prevent collapse however it is not sufficient to prevent raking of the structure during a seismic event. Steps should be taken to add at least one 4 foot full height panel on each exterior wall and also on the interior wall the runs down the middle of the building. The plywood should be nailed with 10d @ 4" o.c. edges and 12" o.c. in the field.
 - d. The structure is open to the elements in several locations. This condition allows the wind and rain into the building. It also allows animals to occupy the building. Allowing these conditions to continue, will add to the deterioration of the structure.

If you have any question, please do not hesitate to contact me at (408) 615-9200 or via email at spd@duquette-eng.com.

Very Truly Yours,
DUQUETTE ENGINEERING
Steven P. Duquette SE
President





Front Elevation



Rear Elevation



New foundation strengthening at front exterior wall. Note the demolished floor framing.



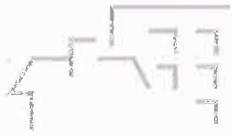
Unbraced unreinforced chimney at exterior.



Unbraced unreinforced chimney at interior.



Front Porch Cover/Second Floor Balcony



DUQUETTE
ENGINEERING

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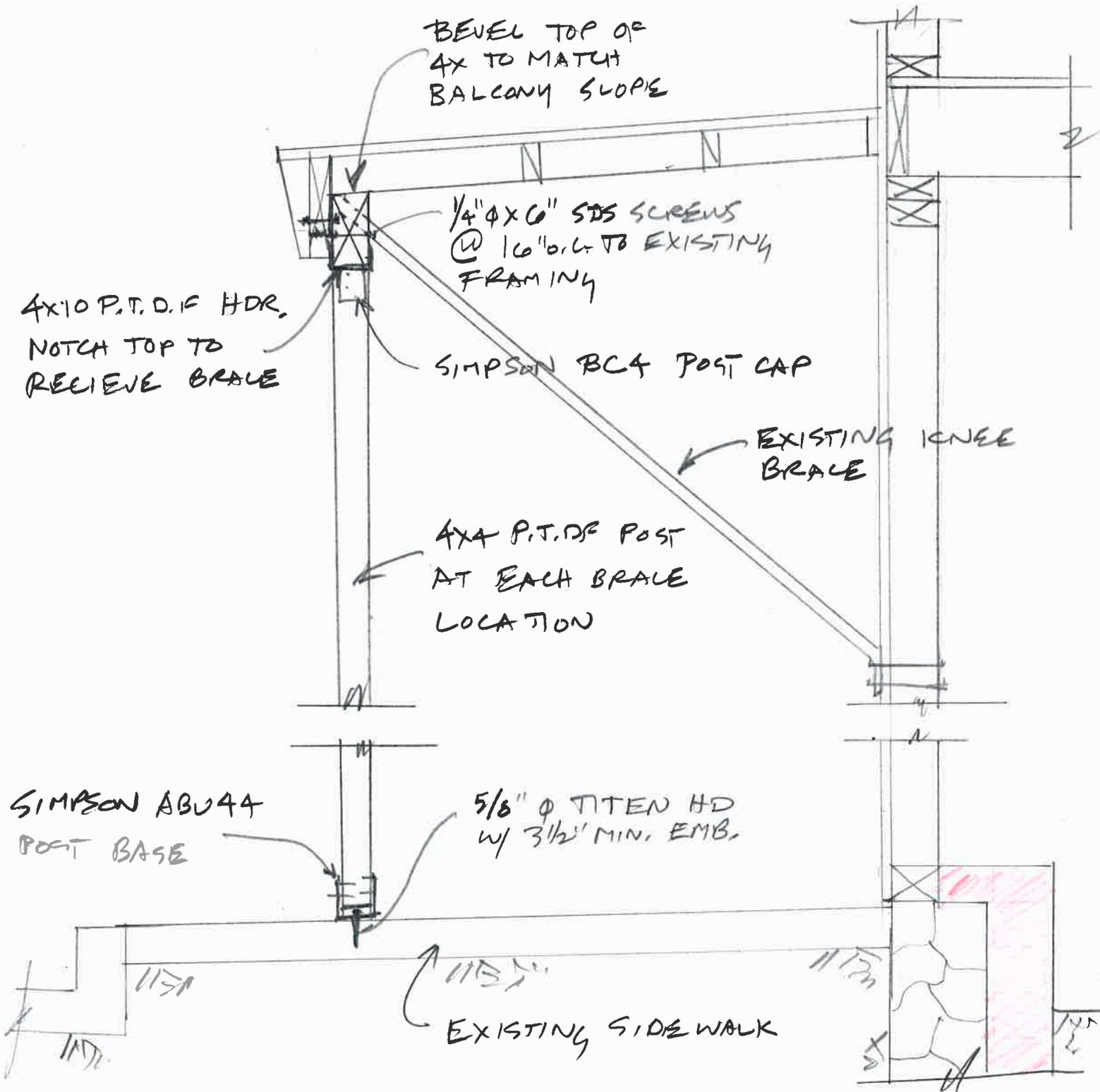
Sheet: 7 OF 7

Date: 12/10/2018

Job #: 17-0055.1

Project: 107 Third Street, San Juam Bautista -
Consultaion

By: SPD



CITY COUNCIL STAFF REPORT

DATE: February 25, 2019

SUBJECT: 107 Third Street – La Casa Rosa – Abatement Hearing

FROM: Tim Parshall, Code Enforcement Officer

OBJECTIVE: Conduct a hearing to consider any objections to the proposed nuisance

Background:

On December 21st a compliance order was sent to property owner Greg Burda, along with the Engineer's report and a timeline to address the necessary repairs. The timeline required action before the end of January and confirmation of action or inaction of the owner declared by the end of December. On January 7, staff received an email that the owner would not be taking action to initiate repairs.

On January 22nd, the City Council directed staff to declare the property a public nuisance and proceed with noticing for an abatement hearing.

The condition of the building at 107 Third Street, previously known as La Casa Rosa, presents a safety hazard in the downtown area due to the dilapidated state of the building. The building was left partially deconstructed by the owner and the deterioration in that state has contributed to making the frontage of the building unsafe, causing the city to take mitigating measures in closing the sidewalk. The public right of way closure effects foot traffic and significantly increases the danger of pedestrians crossing the street to avoid the closure.

Staff sought the assistance of structural engineer Duquette Engineering, who responded with a scope of work. In order to preserve the historic value of the building, and restore the use of the public right-of-way, staff's intention is to address the items detailed in the scope of work.

Recommendation:

La Casa Rosa has been left derelict in an abandoned state. Staff asks for Council authorization to abate the property.

Attachments:

- Structural Engineer's Report regarding 107 Third Street. Prepared by Duquette Engineering.
- Satellite Imagery Timeline of 107 Third Street. Historic Satellite imagery from Google Earth Database.
- On Site Photographs taken of the balcony, front and rear of the structure, and the interior.
- Resolution