



MARIPOSA COUNTY

Public Works • 209 966 5356



RESOLUTION - ACTION REQUESTED 2019-648

MEETING: November 12, 2019
TO: The Board of Supervisors
FROM: Mike Healy, Public Works Director
RE: Approve a Proposal to Erect a Veterans Memorial on the Courthouse Lawn

RECOMMENDATION AND JUSTIFICATION:

Adopt a Resolution Approving Design Review Application No. 2019-032 With Findings; Approving Construction of a Veterans Memorial on the Mariposa County Courthouse Grounds; and Directing Staff to File a Notice of Exemption for the Project.

At the Board of Supervisor's meeting on February 19, 2019, the Veterans Memorial Committee presented a conceptual design for a veterans memorial monument. The design showed the location of the monument to be at the northwest corner of the Courthouse site at the intersection of Bullion and 10th Streets. At that time the Board generally approved of the conceptual plans for the project and directed the Department of Public Works to seek a review of the design and location of the memorial by Architectural Resources Group (ARG) to insure that placement of this memorial would not conflict with any laws, regulations or standards governing the courthouse, which is registered on the National Register of Historic Places and is a State of California Historical Landmark (No. 670). ARG was consulted due to their extensive expertise in the field and their past work on the Courthouse Historic Preservation Project.

ARG reviewed the location of the monument for compliance with the *Secretary of the Interior's Standards for Rehabilitation*, which are treatment standards for historic buildings developed by the National Park Service. The Standards are used at the federal, state and often the local level to provide guidance regarding the suitability of a proposed project that could affect a historic resource. This guidance includes review of environmental impacts of projects pursuant to the California Environmental Quality Act (CEQA).

The review focused on Standard 9, which addresses the compatibility of new construction. ARG determined that the original site location adjacent to Bullion Street could cause a visual obstruction of the historic Courthouse which was of concern to

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ARG. The proposed location of the memorial was moved east to an area near the vault building. A photographic simulation of the alternative location is shown in this staff report as an Attachment. A rendering of the design of the 6' x 10' monument is shown in this staff report as an Attachment. (Note: this rendering shows the original location of the monument at the northwest corner of the property.)

ARG reviewed the alternative location against Standard 9 and issued the following conclusion: *"Though the monument in its proposed new location will not interrupt views of the historic courthouse and is compliant with the Standards, recommendations for refinements to the proposed size and materials are provided, should the project proponent choose to incorporate them. Incorporation of one or more of the recommendations will serve to increase the new monument's compliance with the Standards and its compatibility with the historic site."*

"ARG provides the following recommendations...:

- 1. Consider reducing the height of the memorial to approximately four feet (4') in height.*
- 2. The proposed plan drawings only show illustration/text on the front face of the memorial. If the vertical height was established to accommodate text or illustrations, consider lengthening the memorial and/or using both sides of the monument for text/illustrations instead.*
- 3. Consider significantly reducing or eliminating the amount of hard surface (concrete) in the approach to and around the memorial. If the memorial will not have any graphics on the rear face, perhaps a walkway around the entire monument is unnecessary. To minimize the amount of concrete, consider the use of alternative hardscaping materials such as compacted decomposed granite.*
- 4. Consider using only stone engraving or bronze rather than color emblems. This will provide a more traditional appearance and minimize maintenance."*

ARG presented its findings in a September 9, 2019 letter to Gary Brown, County Engineer. That letter is included in this staff report as an Attachment to the Notice of Exemption (NOE).

The Historic Sites and Records Preservation Commission reviewed and recommended approval of the design and location at their meeting on September 9, 2019.

As a part of the site relocation process, Public Works staff and ARG determined that there is not another area available on the Courthouse lawn area to place future permanent structures or monuments without visually obstructing the historic Courthouse. Therefore staff recommends that the Board consider a moratorium on any future placements within this area.



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Mariposa Planning staff has been involved in the design review of the monument. Planning recommends that a Notice of Exemption be filed for the project under the Common Sense rule (§15061(b)(3) of CEQA Guidelines), which states:

The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Planning's recommendation is based on the ARG conclusion that the monument, in the alternative proposed location, is compliant with the *Secretary of the Interior's Standards for Rehabilitation* and the fact the monument will be constructed in a heavily developed and urbanized environment.

Planning notes that action on a design review application would normally be by the Planning Director. Because this project is proposed to be located on county-owned property, and based on the national significance of the historic courthouse structure, and pursuant to county code provisions for concurrent processing, action on all of the project required entitlements is scheduled for the highest approval authority (the Board of Supervisors).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On February 19, 2019 the Board received a presentation from the project proponents regarding the Proposed Veterans Memorial on Courthouse Grounds to which the Board was supportive.

On March 12, 2019 the Board approved waiving design review application fees of \$245.00 associated with this project and were advised of the CEQA requirement for this project.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Alternatives: Require some or all of ARG's supplemental recommendations for additional compliance.

Negative Action: The veterans memorial would not be constructed on the Courthouse grounds.

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ATTACHMENTS:

2 190313_VicinityMap_DR_2019_032 (PDF)

3 190313 Mariposa County Community Veterans Memorial Concept Drawing (PDF)

4 Alternate Location Photo Simulation (JPG)

5 191022 Final NOE (PDF)

6 191112 Draft Board Resolution (DOC)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

Resolution
No 2019-648

**A resolution approving Design Review No. 2019-032 with
Findings and Approving Construction of a Veterans Memorial
on the Mariposa County Courthouse Grounds**

WHEREAS, on February 19, 2019 the Board of Supervisors was presented with a conceptual design from the Veterans of Foreign Wars Veterans Memorial Committee for the construction of a veterans memorial monument on Mariposa County Courthouse grounds; and

WHEREAS, the Board, although receptive to the concept of the construction of the memorial, directed the Mariposa County Public Works Department to seek the input from a qualified party to ensure the design and location of the memorial would not conflict with any laws, regulations or standards governing the Courthouse, which is registered on the National Register of Historic Places and is a State of California Historical Landmark (No. 670); and

WHEREAS, Architectural Resources Group (ARG) was commissioned to conduct this review due to their extensive expertise in the field and their past work on the Courthouse Historic Preservation Project, and their input was part of the design review for this project; and

WHEREAS, ARG reviewed the design and location of the proposed monument for compliance with the *Secretary of the Interior's Standards for Rehabilitation*, which are treatment standards for historic buildings developed by the National Park Service; and

WHEREAS, ARG determined that the initial site location on the northwest corner of the Courthouse grounds near the intersection Bullion and 10th streets could cause a visual obstruction of the historic Courthouse, which led ARG to conclude the location was not in compliance with the *Standards*. Due to this, the proposed location of the memorial was moved to an area near the vault building, which is attached to the Courthouse structure; and

WHEREAS, ARG stated in a September 9, 2019 letter to the Public Works Department that the monument in the alternative location would not interrupt views of the historic Courthouse and is compliant with the *Standards*; and

WHEREAS, the design and location of the monument was reviewed by the Mariposa County Historic Sites and Records Preservation Commission (HSRPC) at their duly noticed meeting on September 9, 2019, and the Commission recommended approval of the project at the alternative location by the vault structure; and

WHEREAS, Mariposa County citizens have a proud tradition of service in the military of the United States of America, and whereas many have served on foreign fields of battle; and

WHEREAS, the Board of Supervisors believes it is important to honor the County's veterans in a conspicuous and appropriate location such as the Courthouse grounds; and

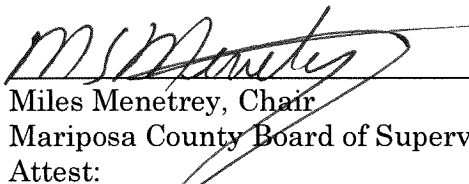
WHEREAS, the Board of Supervisors did consider the proposal at a public meeting and considered public testimony and all of the information in the public record, including the Staff Memorandum and the proposed Notice of Exemption; and

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve Design Review No. 2019-032 and approves the construction of the veterans memorial monument on the Courthouse grounds and directs staff to file a Notice of Exemption for the project.

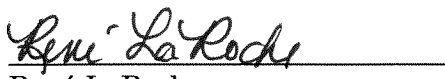
NOW THEREFORE, BE IT FINALLY RESOLVED THAT the Board of Supervisors approves the project based on the findings set forth in Exhibit 1.

ON MOTION BY Supervisor Cann, seconded by Supervisor Long, this resolution is duly passed and adopted this 12th day of November, 2019 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NOES: NONE
EXCUSED: NONE
ABSTAIN: NONE

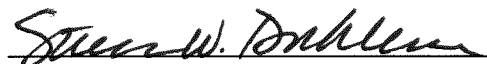


Miles Menetrey, Chair
Mariposa County Board of Supervisors
Attest:



René LaRoche,
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM:



Steven W. Dahlem
County Counsel

EXHIBIT 1

FINDINGS OF APPROVAL

The Board of Supervisors approves Design Review No. 2019-032 and the construction of a veterans memorial monument on the grounds of the Mariposa County Courthouse based upon the following findings:

1. The veterans memorial, promoted and sponsored by the Veterans Memorial Committee, is approved for location on the grounds of the Mariposa County Courthouse due to that location's historical significance, which will serve as an appropriate backdrop for the memorial's tribute to the citizens of the County throughout its history who served the United States of America on foreign fields of battle.
2. Mariposa County did its due diligence in consulting with a qualified party, as part of the design review for the project, to ensure that the design and location of the memorial monument is compliant with the *Secretary of the Interior's Standards for Rehabilitation*, which are treatment standards for historic buildings developed by the National Park Service. The firm of Architectural Resources Design (ARG) found that the project, in its alternative location adjacent to the Courthouse vault building, is compliant with the *Standards*. ARG is qualified to make such a finding due to their extensive expertise in the field and their past work on the Courthouse Historic Preservation Project.
3. The Mariposa County Historic Sites and Records Preservation Commission was afforded the opportunity to review the design and location of the memorial monument and that body recommended approval of the project, in the location adjacent to the Courthouse vault building.
4. The memorial monument is consistent with any and all applicable standards contained in Section 17.336.070 – Architectural Theme and Development Guidelines for the Historic Design Review Overlay Zone (for the community of Mariposa) as shown in Title 17, Mariposa County Zoning Ordinance.
5. It is found that that there is no possibility that the Veteran's Memorial may have a significant effect on the environment and is therefore not subject to the California Environmental Quality Act (CEQA) under the common sense exemption (§15061(b)(3) of CEQA Guidelines). This finding is based on the conclusion of the architectural design consultant that the monument, in the alternative location, is compliant with the *Secretary of the Interior's Standards for Rehabilitation*, and the fact that the monument will be constructed in a heavily developed and urbanized environment. A Notice of Exemption will be filed for the project.

MARIPOSA COUNTY

NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FROM: Mariposa County
Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

Project Title: Design Review No. 2019-032; Veterans Memorial on Mariposa County Courthouse Lawn

Project Location: 5088 Bullion Street, Mariposa (County of Mariposa)

Project Parcels: Mariposa County Assessor Parcel Number 013-118-0010

Description of Project: Construction of Veterans Memorial on Mariposa County Courthouse Lawn
Details of the project include the following:

- Materials: Granite and Concrete
- Displayed: Military Branch logos / emblems, American flag, and words "All Gave Some - Some Gave All"
- Height: 6 feet
- Overall width: 10 feet (memorial face width: 7 feet-9 inches)
- Concrete sidewalk from ADA parking to memorial
- Concrete sidewalk around memorial (circular pattern)
- Benches
- Lighting (International Dark Sky International compliant fixtures)
- Location (modified proposal): Adjacent to and northwest of the Courthouse Vault; mid-block 10th Street

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Department (Applicant) Carrying Out Project: Mariposa County Public Works Director /
Community Veterans

Exempt Status: Common Sense Exemption; Section 15061(b)(3), CEQA Guidelines

Reason Why Project Is Exempt:

The project is the construction of a Veterans Memorial to be located on the Mariposa County Courthouse Lawn. The Courthouse is listed on the National Register of Historic Places and is California Historical Landmark No. 670.

Mariposa County had a Secretary of the Interior's Standards Compliance Review of the project conducted by Architectural Resources Group (ARG).

The Compliance Review concluded:

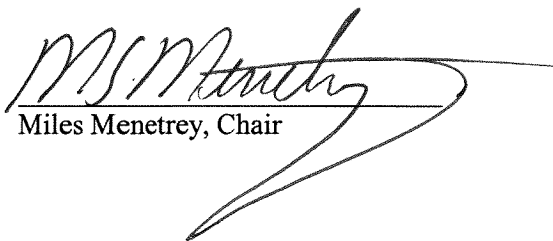
“...the monument in it proposed new location will not interrupt views of the historic courthouse and is in compliance with the Standards, recommendations for refinements to the proposed size and materials are provided...should the project proponent choose to incorporate them. Incorporation of one or more of the...recommendations will serve to increase the new monument’s compliance with the Standards and its compatibility with the historic site.”

The attached Compliance Review document dated 9/19/2019 is a part of this notice, and establishes findings that the Board of Supervisors relied on in part to determine that there is no possibility that the Veteran’s Memorial may have a significant effect on the environment and is therefore not subject to CEQA.

Lead Agency Contact Person: Sarah Williams, Planning Director

Phone Number: (209) 966-5151

Mariposa County Board of Supervisors by:



Miles Menetrey, Chair

NOV 12 2019
Date