

LANDMARK PRESERVATION COMMISSION
RESOLUTION NO. 2020-01

A RESOLUTION APPROVING INTERIOR AND EXTERIOR ALTERATIONS
AND REPAIRS TO THE SOUTHERN PACIFIC DEPOT (LANDMARK 19)
(CITY OF MODESTO)

WHEREAS, by Resolution No. 25 adopted on October 16, 1993, the Landmark Preservation Commission recommended designation of the Southern Pacific Depot as a Modesto Landmark Preservation site; and,

WHEREAS, by Resolution No. 93-692 adopted on December 7, 1993, the City Council designated the Southern Pacific Depot as a Modesto Landmark Preservation site; and,

WHEREAS, by Resolution No. 2018-01 adopted on April 2, 2018, the Landmark Preservation Commission approved the alteration of the Southern Pacific Depot to add approximately 450 square feet of office space; and,

WHEREAS, a public meeting was held on December 16, 2019, to present the project to the public and to solicit public input; and,

WHEREAS, a second public meeting was held on March 4, 2020, to present the revised project to the public and to solicit public input; and

WHEREAS, the State Historic Preservation Officer, in a letter dated October 1, 2020, finds that the proposed project will have no adverse effect on the Southern Pacific Depot; and

WHEREAS, the City of Modesto has prepared a Finding of Conformance with the General Plan, Initial Study Environmental Checklist C&ED No. 2019-08; and,

WHEREAS, a public hearing was held by the Landmark Preservation Commission on October 19, 2020, at 1010 Tenth Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered.

NOW, THEREFORE, BE IT RESOLVED by the Landmark Preservation Commission that it finds and determines as follows:

1. The proposed maintenance activities are necessary to protect the historic character of Landmark 19 and will restore some of the building's features to their original appearance.
2. The modifications will affect the appearance of Landmark 19, but are reversible. Planned alterations will follow the Secretary of the Interior's standards and will maintain the character-defining features of the building.

BE IT FURTHER RESOLVED by the Landmark Preservation Commission that it recommends the City Council approve the proposed alterations to the Southern Pacific Depot as attached.

IT IS FURTHER RECOMMENDED that the proposed alterations to the Southern Pacific Depot be approved subject to the following conditions:

General

1. Prior to the issuance of a building permit, all proposed development shall conform to the development plan approved by the Landmark Preservation Commission on October 19, 2020.
2. Implement measures to reduce the temporary, yet potentially significant, local air quality impacts from construction activities. Potential measures to be implemented may include those measures shown in Section V-2 of Master Environmental Impact Report. (AQ-77, Policy VII.H.2.m)
3. Reduce particulate emissions from construction, grading, excavation, and demolition to the maximum extent feasible in accordance with the requirements of SJVAPCD Regulation VIII. Regulation VIII was adopted to reduce the amount of particulate matter suspended in the atmosphere as a result of emissions generated from anthropogenic (man-made) fugitive dust sources. (AQ-100, Policy VII.H.2.jj)
4. Effectively stabilize dust emissions using water, chemical stabilizer / suppressant, cover with a tarp or other suitable cover or vegetative ground cover, all disturbed areas, including storage piles, which are not being actively utilized for construction purposes. (AQ-103, Policy VII.H.2.mm)
5. Effectively control fugitive dust emissions utilizing application of water or by presoaking all land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities. (AQ-105, Policy VII.H.2.oo)
6. When materials are transported off site, cover all materials, or effectively wet them to limit visible dust emissions, and maintain at least six inches of freeboard from top of container. (AQ-107, Policy VII.H.2.qq)
7. Limit operations or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday (the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.) (AQ-108, Policy VII.H.2.rr)
8. Implement noise-reducing construction practices as conditions of approval where substantial construction-related noise impacts would be likely to occur, such as with extended periods of pile driving, or where construction is expected to continue or where sensitive receptors would be affected by construction noise. Conditions of approval may include, but are not limited to:
 - Require construction equipment, including air compressors and pneumatic equipment to have properly maintained mufflers;
 - Require impact tools to be equipped with shrouds or shields;
 - Require that the quietest equipment available be used; and,

- Require selection of haul routes that affect the fewest number of people. (Noise-4, Policy VII-G.3.b)

The following conditions related to archaeological and historic resources will only be implemented in the event of the discovery of artifacts or potential artifacts.

9. If land designated or proposed to be designated for development is discovered through archival research, consultation or by chance, to contain a sacred or traditional place, consult with the NAHC and the appropriate Native American groups and individuals for the purpose of determining the level of confidentiality required to protect the cultural place and for the purpose of developing treatment with appropriate dignity of the cultural place in any corresponding management plan. Avoid and preserve sacred sites whenever feasible. (AH-12, Policy VII.F.2[i])
10. Whenever possible, avoid disturbing or damaging archaeological resources. Preservation in place to maintain the relationship between the artifacts and the archaeological context is the preferred manner of mitigating impacts to archaeological sites. Preservation may be accomplished by:
 - (1) Planning construction to avoid archaeological sites;
 - (2) Incorporating sites within parks, green space, or other open space;
 - (3) Covering the sites with a layer of chemically stable soil; and/or,
 - (4) Deeding the site into a permanent conservation easement.

When in-place mitigation is not feasible, data recovery through excavation may be necessary. A data recovery plan, which makes provisions for adequately recovering the scientifically consequential information about the site, shall be prepared and adopted prior to any excavation being undertaken. Such studies must be deposited with the Central California Information Center in Turlock, California. Special rules apply to any archaeological sites known to contain human remains (Health and Safety Code Section 7050.5; Guidelines Section 15126.4(b)).

Data recovery shall not be required if the lead agency determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR and are available for review at the California Historical Resource Regional Information Center (Guidelines Section 15126.4(b)). (AH-15, Policy VII.F.2[l])

11. Allow reasonable time for the qualified archaeologist to notify the proper authorities for a more detailed inspection and examination of the exposed cultural resources. During this time, excavation and construction would not be allowed in the immediate vicinity of the find; however, those activities could continue in other areas of the project site. (AH-16, Policy VII.F.2[m])
12. If any find is determined to be significant by the qualified archaeologist, representatives of the construction contractor and the City, the qualified archaeologist, and a representative of the Native American community (if the discovery is an aboriginal burial) will meet to determine the appropriate course of action. (AH-17, Policy VII.F.2[n])

13. All cultural materials recovered as part of a monitoring program are subject to scientific analysis, professional museum curation, and a report prepared according to current professional standards. (AH-18, Policy VII.F.2[o])

The foregoing resolution was introduced at a meeting of the Landmark Preservation Commission held on October 19, 2020, by Commissioner Goriel, who moved its adoption, which motion was seconded by Commissioner Cahill, and carried by the following vote:

Ayes:	Cahill, Cavanah, Goriel, Roddick, Lippert
Noes:	None
Absent:	Crew, Leamon
Recused:	None

BY ORDER OF THE LANDMARK PRESERVATION COMMISSION OF THE CITY OF MODESTO.

Original, signed copy on file in CEDD
Steve Mitchell, Secretary