



Visalia City Council

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Staff Report

File #: 25-0149

Agenda Date: 5/5/2025

Agenda #: 1.

Agenda Item Wording:

Appeal of Historic Preservation Advisory Committee's denial- A public hearing to consider an appeal of the Historic Preservation Advisory Committee's denial of a request to replace 48 windows on a single-family residence located in the D-MU (Downtown Mixed Use) Zone. The project site is located at 410 North Court Street (APN: 094-271-006).

Deadline for Action: 5/5/2025

Submitting Department: Community Development

Contact Name and Phone Number:

Cristobal Carrillo, Associate Planner, 713-4443, cristobal.carrillo@visalia.city;

Paul Bernal, Planning and Community Preservation Director, 713-4025, paul.bernal@visalia.city

Department Recommendation:

Based on the Historic Preservation Advisory Committee's (HPAC) decision, it is recommended that the City Council receive the staff report and presentation, hold a public hearing, and adopt Resolution No. 2025-27, denying the appeal and upholding the Historic Preservation Advisory Committee's (HPAC) denial of HPAC Item No. 2025-05.

Please note, it is standard practice for the recommendation to be the upholding of an action taken by the HPAC.

Alternatively, the City Council may, in lieu of the recommended motion specified above, consider any of the following alternatives:

1. Uphold the appeal and approve the request as originally recommended and conditioned by staff to the HPAC on April 9, 2025, overturning the decision of the HPAC to deny HPAC Item No. 2025-05. City Council "findings" will need to be integrated into a revised Resolution for Council review and approval at a subsequent meeting; or
2. Uphold the appeal and approve the request with modifications to the proposal as determined by the Visalia City Council, overturning the decision of the HPAC to deny HPAC Item No. 2025-05. City Council "findings" will need to be integrated into a revised Resolution for Council review and approval at a subsequent meeting; or
3. Refer the matter back to the HPAC; or,
4. Continue the matter to a future City Council hearing for additional information.

Summary:

The applicant, Kevin Fistolera, filed HPAC Item No. 2025-05, requesting to replace 48 wood windows with vinyl windows, on a single-family residence listed on the Local Register of Historic Structures with a "Focus" classification, located within the Historic District. The application was heard by the

HPAC at a public hearing on April 9, 2025, and was recommended for approval by staff based on the justifications and conditions noted in the staff report for HPAC Item No. 2025-05 (see Attachment 5). The proposal failed to be approved by a vote of 5 to 2 as a result of mitigating factors discussed by the Committee members at the meeting.

On April 14, 2025, the Visalia City Clerk received an appeal of the HPAC's denial. The appeal states that the HPAC's denial should be overturned based on the following:

1. That there is precedence for the approval of wood window replacement,
2. That the proposal adequately preserves the buildings appearance, and
3. That the proposal would improve the energy efficiency of the structure.

Synopses of the applicants' original window proposal, the HPAC public hearing discussion, and the applicants appeal request are provided below in the "HPAC Review and Action", "Appeal," and "Project Overview" sections of this staff report.

Project Description:

Per the operational statement in Attachment 3, the applicant is requesting approval to remove and replace all the windows of the residence, 48 in total. Per the development plan in Attachment 3, the applicant will be replacing the windows with Milgard V300 Trinsic vinyl windows, and rebuilding full wood window screens for use on the windows to be replaced.

Per the applicant, the window replacement is required due to the age and deterioration of the original windows. The applicant states that the windows must be replaced to better secure the building from vandalism and break-ins.

Site Data and History:

The project site is zoned D-MU (Downtown Mixed-Use) and contains a vacant residence and 10-stall parking lot. The structure was built in 1921, making it approximately 104 years old. The project site is located within the Historic District, and structure added to the Local Register of Historic Structures in 1979 when the Historic District and Local Register were first adopted by the Visalia City Council.

Each building on the Local Register is given one of three classifications, denoting its architectural and community importance: Exceptional, Focus, and Background. The building at 410 North Court Street is classified as "Focus", meaning per the Historic Preservation Element of the Visalia General Plan, that the structure is considered of *"...significant value, of good to excellent quality, and should be considered for local recognition and protection."* The structure was upgraded from a "Background" classification to "Focus" on August 1, 2022, when the City Council approved the HPAC's revised Local Register listings. The change in classification was due in large part to the structure's association with the Bradley Family (see family information below).

The structure contains "Craftsman" and "Bungalow" style architectural elements, reflected through features such as knee brace brackets, window orientation, and lattice like gable venting. The structure is also unique in that it features both open air and screened porches, located along the north and south building exteriors.

The structure was built by Clarence Linn Bradley (1886 - 1969), the son of early Visalia attorney Nathaniel Oliver Bradley, and member of the prominent Bradley Family, many of which practiced law in Visalia for many years. Bradley was a lieutenant in the infantry during World War I, serving in France, and became an attorney upon returning home. Per his obituary, Bradley was active in

several Visalia lodges and veterans organizations, including the Moose, Elks, American Legion, Veterans of Foreign Wars, and Kiwanis Clubs. He was also active in the Catholic church, in particular as a Fourth Degree Knight of Columbus. Bradley had two sons, one of which (Judge Nathaniel Oliver Bradley II) became a Tulare County Superior Court judge.

The structure at 410 North Court was part of a larger Bradley family compound, which included the family home at 420 North Court Street (the current location of Fistolera Construction and the Equity Group property management firm) and the craftsman bungalow structure at 421 North Church Street.

HPAC Review and Action:

At the April 9, 2025, HPAC meeting, a public hearing was held to consider HPAC Item No. 2025-05, a request to replace 48 windows on a single-family residence located at 410 North Court Street. Staff recommended approval of the request based on a visit to the project site to evaluate the condition of the windows. In its recommendation, staff cited as justification for approval the damage observed to the second story windows of the residential structure (see photographs provided with Attachment 3), preservation of the historic appearance of the residence through the application of new full wood window screens, and conditions of approval requiring the new windows to match the appearance of the existing windows. The recommended conditions of approval as outlined in the HPAC staff report are listed below as follows:

1. That the project shall be developed in substantial compliance with the development plan in Exhibit "A and operational statement in Exhibit "B", except as modified by the conditions below.
2. That the new windows shall match the features of the original windows, including operating mechanism and style, mullion patterns and spacing, frame dimensions and profiles, and sightlines and proportions. That the project undergoes the appropriate City permitting process for exterior alterations on the project site.
3. That the applicant shall rebuild and install wood window screens for all the windows that can support window screens. The window screens shall retain an appearance consistent with the original window screens depicted in Exhibit "A".
4. That any other exterior alterations to the site shall be brought before this Committee for review and approval prior to the issuance of any Building Permits and/or their installation or construction.
5. That all other City codes, ordinances, standards, and regulations shall be met.
6. That the approval from the Historic Preservation Advisory Committee shall lapse and become void twelve months after the date on which it became effective, unless the conditions of the approval allowed a shorter or greater time limit, or unless prior to the expiration of twelve months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the approval.

Public comment in favor of the proposal was received in person from applicant and property owner Kevin Fistolera, and via e-mail by community member Bill Huott. Additional public comment in opposition to the proposal was provided via e-mail by community member Aaron Collins. All public comment received at the April 9, 2025; meeting is included with the HPAC staff report in Attachment 5.

Speakers in support of the proposal stated that the request would maintain the existing appearance of the structure, and that because the existing windows were deteriorated, replacement would

improve both the security and energy efficiency of the building and reduce noise impacts. Mr. Fistolera also claimed that the HPAC had previously approved the replacement of wood windows at other locations.

Comments in opposition from Mr. Collins noted that the structure is historically significant, and that due to its modest appearance, extra efforts should be made to preserve key elements of its construction (i.e. windows) to preserve its authenticity. Mr. Collins also stated that owners of historic structures have a responsibility to maintain their homes to the historic preservation programs' high standards.

During the public hearing the HPAC discussed various aspects of the proposal with Mr. Fistolera. This included the condition of the windows (the deterioration of which was disputed by the Committee), the efficacy of full wood window screens to preserve appearances, whether an existing screened porch would remain screened, and what type of window was currently present in the dining room (the HPAC noting that rooms of prominence in older homes often contain specialized windows). Fistolera stated that he was unaware of the type of window present in the dining room. Discussion also occurred regarding the building's affiliation with the Bradley Family, a family of local importance.

At the conclusion of the hearing, a majority of the HPAC expressed strong doubts that the windows could not be repaired, and that the affiliation of the building with the Bradley Family should not be overlooked. A motion was then made by Committee member Jay Hohlbauch, seconded by Committee member Kim Lusk, to accept staff's recommendation and approve the request, with additional conditions of approval applied explicitly requiring rescreening of the screened porch (which had not been included in the applicants proposal), and requiring replacement of the dining room window with a new window containing the same features as the original, if applicable. The motion failed by a vote of 5 to 2 (Committee members Jay Hohlbauch and Michael Tomola voting to approve). As such, the request to replace the existing wood windows was denied.

Appeal:

On April 14, 2025, the City Clerk received an appeal of the HPAC's denial of HPAC Item No. 2025-05. The appellant, Kevin Fistolera, alleges that the HPAC acted in error when denying the request. The full text of the appeal is included in Attachment 1. The three appellant claims and Staff responses are provided below.

1. HPAC Precedent

Claim: That window replacements have been previously approved by the HPAC for several buildings within the Historic District.

Staff Response: Within the appeal request the applicant did not provide specific examples of instances in which the HPAC had previously approved the replacement of windows. Staff conducted a survey of project reviews conducted by the HPAC between January 2019 to April 2025. Analysis showed that window replacements have been approved in the past. However, the approvals themselves are nuanced, with decisions varying depending on the unique conditions of each proposal.

Per the survey, 31 window replacement requests have been reviewed by the HPAC during the 6 year and 4-month timeframe (Note: for the purposes of this survey, projects involving the same structure have been grouped together and are considered one project). The majority of the requests were for sites located solely within the Historic District (18 in total). Evaluation criteria for alterations to sites solely within the Historic District only require compatibility with surrounding structures. This means

that alterations to structures are often permissible, so long as overall compatibility with the Historic District is preserved. Given these criteria, all 18 proposals were approved by the HPAC. It should be noted that 8 of these proposals involved Code Enforcement cases in which the windows had already been replaced prior to HPAC review and Building Permit issuance. In these instances, the HPAC partly approved the unsanctioned window replacements to avoid causing additional financial hardship to the applicants.

The remaining 13 window replacements involved structures listed on the Local Register of Historic Structures. Unlike the Historic District criteria, Local Register evaluation criteria requires preservation of original features and emphasizes repair over replacement. Of the 13 proposals involved, 9 were approved. Out of the 9 approved projects, 3 received approval largely because the windows had already been installed or purchased prior to HPAC review. The remaining 6 projects were approved due to other factors, such as:

- The window replacement involved a non-primary structure located in the rear yard;
- The windows were to be replaced with new wood windows;
- The window replacement involved a structure serving a sensitive population (The Creative Center, 616 North Bridge Street, which serves clients with developmental disabilities), making energy efficiency concerns more acute. The windows were also primarily located in areas where they would not be visible to the public, with full screens applied;
- The proposal involved the relocation of original wood windows;
- The windows to be replaced were in the rear yard for a structure that had already been significantly altered.

For the 4 projects that were not approved outright, the HPAC either denied the proposal, required repair, or required a combination approach as follows:

- 403 North Floral Street (2023) - An Exceptional classified office. The vinyl window replacement was denied due to the original windows significance as an architectural feature, and the lack of evidence provided by the applicant to support energy efficiency claims. No additional action was taken by the applicant, and the windows currently remain in their original condition.
- 410 North Court Street (2025) - A Focus classified residence/office. The vinyl window replacement was denied due to the original windows significance as an architectural feature, lack of evidence to support claims of deterioration and energy efficiency, the building's prominent location along North Court Street, and its association with person(s) of local significance. The denial was appealed and is the subject of this review.
- 509 North Locust Street (2023) - A Focus classified residence. Exteriors alterations to the residence were approved, but the vinyl window replacement was denied. A condition of approval was added instead requiring repair of the existing wood windows. The applicant subsequently obtained Building Permits and repaired the windows as requested.
- 719 North Highland (2021) - An Exceptional classified residence. Window replacement with vinyl windows was permitted on the side and rear building elevations. However, the applicant was required to repair the front facing original wood windows, in order to preserve their unique features. The applicant subsequently obtained Building Permits for the remodel of the home, including replacement of the side and rear windows. The original windows on the building's

front exterior remain and have not been altered.

To summarize, the applicant is correct that there is precedence for approval of window replacements. However, the bar to approve replacements on Local Register structures is higher than for structures solely located within the Historic District. This is due to the requirements of VMC Section 17.56.110, which lists standards and principles that apply during the review of exterior alterations to Local Register structures. This is covered more in depth under the "Project Analysis" section of staffs report.

Circumstances unique to each structure reviewed also dictate whether replacements are appropriate. For 410 North Court Street, it was the determination of the Committee that the information, as presented by staff and the applicant, did not adequately demonstrate that the existing windows were beyond repair and that energy efficiency would be improved with replacement. The site's location along a major street within the Downtown core and association with persons of local importance also played factors in the Committee's decision to withhold approval.

2. Maintenance of Architectural Features

Claim: That the proposal would not alter the appearance of the structure, as it would maintain the existing sizes and orientations of the original windows.

Staff Response: Per the proposal submitted by the applicant, no window openings would be altered in size. The applicant also stated that new wood full window screens would be provided for all the windows to be replaced, obscuring the proposed vinyl windows from direct view. However, the Committee concluded that these improvements would not represent the protection of architectural features, as required by the Historic Preservation Ordinance for structures on the Local Register (see Project Analysis section below). The original feature, in this case the wood window casings and original glass, would be removed entirely, replaced with vinyl material that is not found elsewhere on the residential structure. The proposed new wood full window screens would only serve to obscure the lost original feature, which is not a solution supported by the Local Register criteria in the Ordinance. As such, the Committee concluded that the applicant would not be maintaining the architectural features of the home but instead would create a veneer of authenticity.

3. Energy Efficiency and Noise

Claim: That the proposal would improve the energy efficiency of the structure and would reduce noise impacts from traffic on North Court Street.

Staff Response: Staff notes that the applicant did not provide any studies or energy audits to support their claim that replacement of the windows would reduce noise and improve energy efficiency. During the public hearing, the Committee stated that with older residential structures, a number of issues outside of windows could impact the efficiency of the home.

Sources also demonstrate that historic wood windows can be made to provide energy efficiency on par with new vinyl windows. Per information provided by the [Window Preservation Standards Collaborative <https://windowstandards.org/>](https://windowstandards.org/) (a group of window specialists from across the United States) and the [National Trust for Historic Preservation <https://www.westonma.gov/DocumentCenter/View/3040/Overview-of-Wood-Windows-Tips-from-the-National-Trust-for-Historic-Preservation-PDF>](https://www.westonma.gov/DocumentCenter/View/3040/Overview-of-Wood-Windows-Tips-from-the-National-Trust-for-Historic-Preservation-PDF), restoration, weatherstripping, addition of storm windows, and/or proper maintenance can ensure that historic windows are as energy efficient as modern vinyl windows. Without further information, it is not a forgone conclusion that energy efficiency can only be achieved through the replacement of the windows, and not via repair of the

existing wood windows.

Project Analysis:

Local Register Criteria

Visalia Municipal Code Chapter 17.56 (Historic Preservation District) contains separate criteria for the evaluation of alterations to structures located in the Historic District and Local Register. In instances where both designations apply (as is the case with 410 North Court Street), the Local Register criteria is prioritized. Historic District criteria (VMC Sec. 17.56.100) generally requires “...*compatibility or complementariness with a majority of structures in the immediately surrounding area*”. In contrast, Local Register criteria (VMC Sec. 17.56.110) requires preservation of original and distinguishing architectural features, “wherever possible,” with repair taking precedence over replacement. Guiding standards and principles from this municipal code section are listed below:

- 17.56.110(B) *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- 17.56.110(E) *Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.*
- 17.56.110(F) *Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.*

Due to their design, variety, material, and placement on the structure, the original wood windows are considered a distinguishing feature of the building. The wood frames, upper sash horns, trim, and placement in threes account for most of the buildings’ historic character. If the windows are to be replaced, the applicant must demonstrate that replacement is necessary, and that the replacement materials will match the original in “...*composition, design, color, texture, and other visual qualities.*”

In response, the applicant submitted pictures of the existing windows (see Attachment 3). However, none of the pictures depict damage that is considered extensive, warranting replacement. Windows are shown to be worn, but do not appear to contain significant rot or cracks that cannot be repaired. Broken glass is present on some windows, but even this can be removed and replaced without having to destroy the existing wood windows.

Furthermore, the replacement material proposed (vinyl windows) would not match the original material in terms of composition and texture. The vinyl windows lack the warmth and grain texture of wood and would not contain distinctive upper sash horns. It is also unclear, given the information provided by the applicant, whether the existing window spacings and trim would be maintained with the installation of vinyl windows, which often come in prepacked sizes, necessitating changes to the size of window openings.

Visalia General Plan

The Historic Preservation Element of the Visalia General Plan includes goals and policies intended to guide the protection of historic resources. This includes language in Historic Preservation Element Policy H-P-8 that supports the work of the HPAC to “*Initiat[e] efforts to educate the public to the*

significance of historic areas, sites and structures and the cultural and social events associated with them." The HPAC has interpreted this as supporting the consideration of people of importance into its project reviews, when applicable. As stated previously, the building at 410 North Court Street was associated with the Bradley Family, whose many members impacted all manner of Tulare County society through their work in the legal field and community affiliations. The Committee believes it is because of this association that elements of the structure should be preserved, so as to provide a window into the past of the City and its people.

Streetscape Compatibility

Though Local Register evaluation criteria takes precedence, there is a basis to also consider Historic District criteria encouraging compatibility with the surrounding areas. Staff notes that the project site is located along North Court Street, a major traffic corridor that provides egress from the Downtown core. Despite the loss of historic structures in the Downtown due to damage and/or redevelopment, the 300 to 500 block of North Court Street maintains many of its historic buildings, with many original architectural elements intact (including wood windows). The cluster of blocks represent one of the few places in the Downtown where the City's historic fabric has been preserved. The replacement of original architectural elements on a building within this area would represent a diminishment of that historic character.

Public Comment:

Public comment in support of the appeal request was submitted by member of the public Bill Huott and is included as Attachment 2. No other public comment has been received as of the publication of this report.

Fiscal Impact:

The project will not result in any fiscal impact to the City.

Prior Council Action:

No previous Council actions related to this project have occurred.

Recommended Motion (and Alternative Motions if expected):

I move to deny the appeal and uphold the Historic Preservation Advisory Committee's approval of HPAC Item No. 2025-05 per Resolution No. 2025-27.

Alternative Motions:

Alternatively, the City Council may, in lieu of the recommended motion specified above, consider any of the following alternatives:

1. Uphold the appeal and approve the request as originally recommended and conditioned by staff to the HPAC on April 9, 2025, overturning the decision of the HPAC to deny HPAC Item No. 2025-05. City Council "findings" will need to be integrated into a revised Resolution for Council review and approval at a subsequent meeting; or
2. Uphold the appeal and approve the request with modifications to the proposal as determined by the Visalia City Council, overturning the decision of the HPAC to deny HPAC Item No. 2025-05. City Council "findings" will need to be integrated into a revised Resolution for Council review and approval at a subsequent meeting; or
3. Refer the matter back to the HPAC; or,

4. Continue the matter to a future City Council hearing for additional information.

CEQA Review:

No environmental review is required for projects that are considered non-discretionary in nature. Projects of an administrative, non-discretionary nature, are expected to be approved so long as they meet the requirements of the Visalia Municipal Code.

Attachments:

Resolution No. 2025-27, denying the appeal and upholding Historic Preservation Advisory Committee's denial of HPAC Item No. 2025-05.

Attachment 1 - Appeal of Historic Preservation Advisory Committee Action, April 14, 2025 - Kevin Fistolera

Attachment 2 - Public Comment from Bill Huott

Attachment 3 - Project Exhibits

Attachment 4 - April 18, 2025, Historic Preservation Advisory Committee Action Letter

Attachment 5 - April 9, 2025, Historic Preservation Advisory Committee Staff Report and Public Comment

Historic District and Local Register Map

General Plan Map

Zoning Map

Aerial Map

Vicinity Map

RESOLUTION NO 2025-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VISALIA DENYING THE APPEAL AND UPHOLDING THE HISTORIC PRESERVATION ADVISORY COMMITTEE'S (HPAC) DENIAL OF HPAC ITEM NO. 2025-05: A REQUEST BY KEVIN FISTOLERA TO REPLACE 48 WINDOWS ON A SINGLE-FAMILY RESIDENCE LOCATED IN THE D-MU (DOWNTOWN MIXED USE) ZONE. THE PROJECT SITE IS LOCATED AT 410 NORTH COURT STREET (APN: 094-271-006)

WHEREAS, HPAC Item No. 2025-05 is a request by Kevin Fistolera to replace 48 windows on a single-family residence located in the D-MU (Downtown Mixed Use) Zone. The project site is located at 410 North Court Street (APN: 094-271-006); and

WHEREAS, the Historic Preservation Advisory Committee of the City of Visalia, after duly published notice held a public hearing before said Committee on April 9, 2025; and

WHEREAS, the Historic Preservation Advisory Committee considered the request and failed to approve a motion to approve the project by a vote of 5-2 (Committee members Hohlbauch and Tomola in favor of approval); and

WHEREAS, an appeal of the Historic Preservation Advisory Committee's denial of HPAC Item No. 2025-05 was received on April 14, 2025, stating that the HPAC's denial should be overturned based on there being precedence for the approval of wood window replacement, that the proposal adequately preserves the buildings appearance, and that the proposal would improve the energy efficiency of the structure; and

WHEREAS, the Council of the City of Visalia, after a 10-day public notification period, held a public hearing on May 5, 2025; and

WHEREAS, no CEQA environmental review is required for projects that are considered administrative and non-discretionary nature, and can be approved so long as they meet the requirements of the Visalia Municipal Code.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Visalia makes the following specific findings based on the evidence presented:

1. That the project site is within the Historic District and is listed on the Local Register of Historic Structures. Furthermore, the building is associated with Clarence Linn Bradley, a member of the prominent Visalia family the Bradely's, who was a lawyer, member of the American Legion, the Benevolent Protective Order of Elks, and the Knights of Columbus.

2. That the proposal would create an inconsistency with other significant structures in the surrounding streetscape and Historic District, as it would eliminate one of the remaining original and defining features of the residence, thus diminishing the structure's historic integrity, in contrast with other buildings within the 400 Block of North Court Street, which maintain their original wood windows.
3. That the proposal is not in keeping with the goals of the Historic Preservation Ordinance and Historic Preservation Element, which promote the protection and preservation of Local Register historic structures and their defining architectural characteristics. The proposal would eliminate one of the remaining original and defining features of the residence, thus diminishing the structure's historic integrity, in contrast with other buildings within the 400 Block of North Court Street, which maintain their original wood windows.
4. That the proposal would be injurious to the character of the surrounding area and Historic District, as it would eliminate one of the remaining original and defining features of the residence, diminishing the structures' historic integrity. The structure is located along a highly visible main thoroughfare (North Court Street) and is also near the Downtown commercial core. Replacement of the original wood windows would further the deterioration of unique, historic, and architecturally significant structures within the City's central core, furthering the loss of the Downtown area's unique aesthetic.
5. That it was not adequately demonstrated via evidence that the existing windows were beyond repair and that energy efficiency would be improved with replacement. Furthermore the site's location along a major street within the Downtown core and association with persons of local importance also support Historic Preservation Ordinance requirements for the preservation, rather than replacement, of historic architectural elements.
6. That no CEQA environmental review is required for projects that are considered administrative and non-discretionary nature, and can be approved so long as they meet the requirements of the Visalia Municipal Code.

BE IT FURTHER RESOLVED that the City Council hereby denies the appeal and upholds the Historic Preservation Advisory Committee's denial of HPAC Item No. 2025-05 on the real property hereinabove described in accordance with the terms of this resolution under the provisions of Section 17.56.060 of the Ordinance Code of the City of Visalia, and based on the above findings.

PASSED AND ADOPTED: May 5, 2025

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF TULARE) ss.
CITY OF VISALIA)

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2025-27 passed and adopted by the Council of the City of Visalia at a regular meeting held on May 5, 2025.

Dated: May 6, 2025

LESLIE B. CAVIGLIA, CITY CLERK

By Reyna Rivera, Chief Deputy City Clerk

APPEAL OF HISTORIC PRESERVATION ADVISORY COMMITTEE

(Visalia Municipal Code 17.56.060)

All Appeal forms must be submitted to the Office of the City Clerk at 425 E. Oak Ave. Ste. 301, within ten (10) days after the action which is the subject of the appeal. If the final day to file falls on a weekend or holiday the deadline to file is extended to the next business day by 5:00 p.m.)

Historic Preservation Meeting Date: 4/9/25

Appellant Name: KEVIN FISTOLERA

Address: 410 N COURT ST

Phone: 559-804-6613

In accordance with the Municipal Code of the City of Visalia, decisions by the Historic Preservation Committee may be appealed to the City Council within ten (10) days after the action which is the subject of the appeal. The appeal must state specifically where it is claimed that there was an error or abuse of discretion by the Historic Preservation Committee or whether the decision of the Committee is not supported by the evidence in the record.

List reason for appeal in accordance with the above requirements (Additional pages and/or supporting documentation may be attached)

REPLACEMENT OF WINDOWS HAS BEEN COMPLETED ON SEVERAL
BUILDINGS IN THE DISTRICT. WE WILL NOT BE CHANGING SIZE OR
ORIENTATION OF EXISTING WINDOWS. THE VINYL WINDOWS WILL BE
MORE ENERGY EFFICIENT AND HELP WITH THE TRAFFIC NOISE FROM
COURT ST.

Signature: Kevin Fistolera Date: 4/11/2025

Office Use Only

Received By: Reyna Rivera

Date: 4/14/25

Faxed to City Planner: _____

City Council Hearing Date: _____

Received

APR 14 2025

City of Visalia
City Clerk's Office
Date Stamp

Re: City of Visalia: Historic Preservation Advisory Committee - April 23, 2025 Meeting ...




B. H. <whuott2013@gmail.com>

To ● Cristobal Carrillo

 Reply

 Reply All

 Forward



Fri 04/18/2025 4:14 PM

 This sender whuott2013@gmail.com is from outside your organization.

I wish to support their appeal please

Bill



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

MILGARD

WINDOWS AND DOORS



V300 Trinsic™ Series

V300 Windows \$35 ***** 64" (10x5)

A contemporary vinyl window with an expansive viewable glass area and a narrow frame to help you embrace modern home design. With its aesthetic and functional options, the V300 Series window has a operating style you'll love.

See us at AIA/CES

EXTERIOR COLORS | INTERIOR COLORS

HORIZONTAL SLIDER

SINGLE-HUNG

CASHEMENT

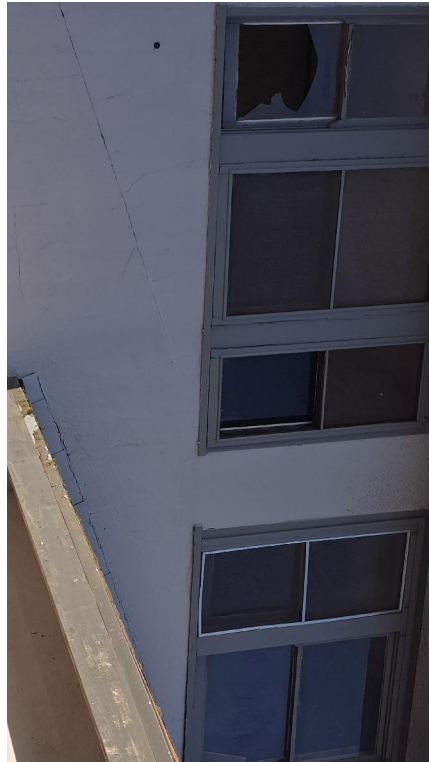
AWNING

V300 Windows & Doors

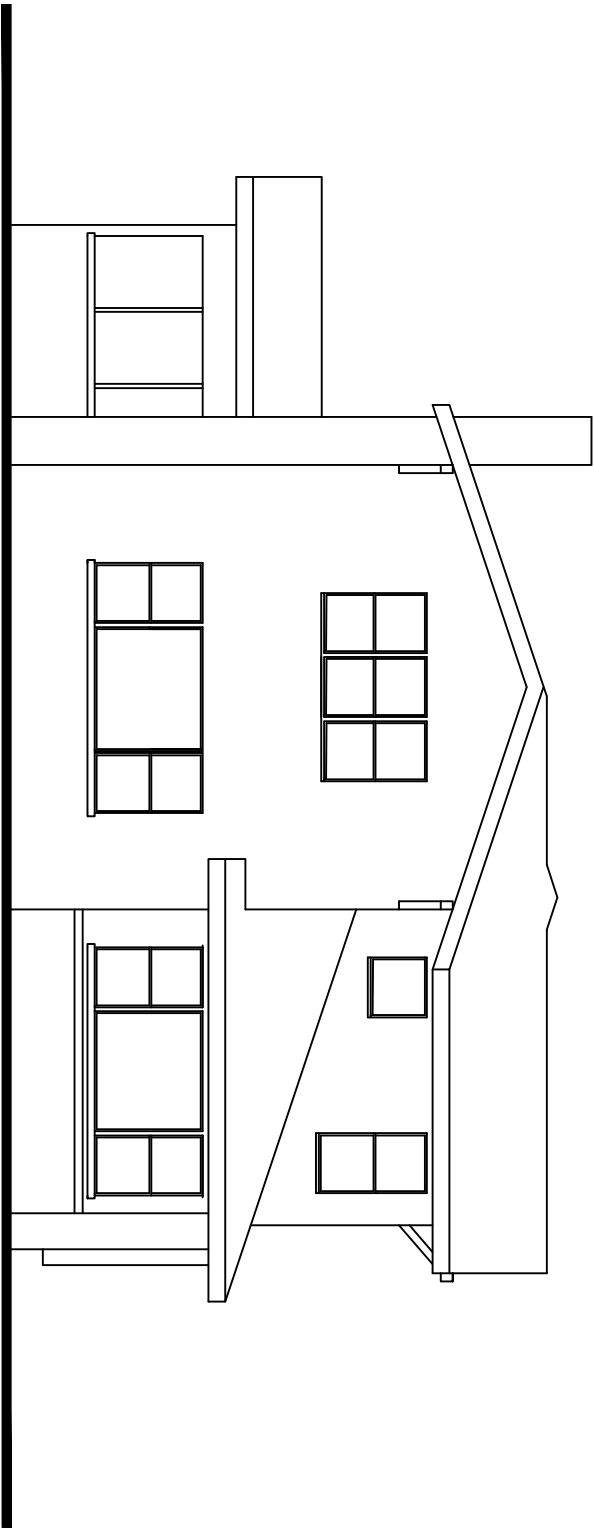
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EXISTING WINDOWS



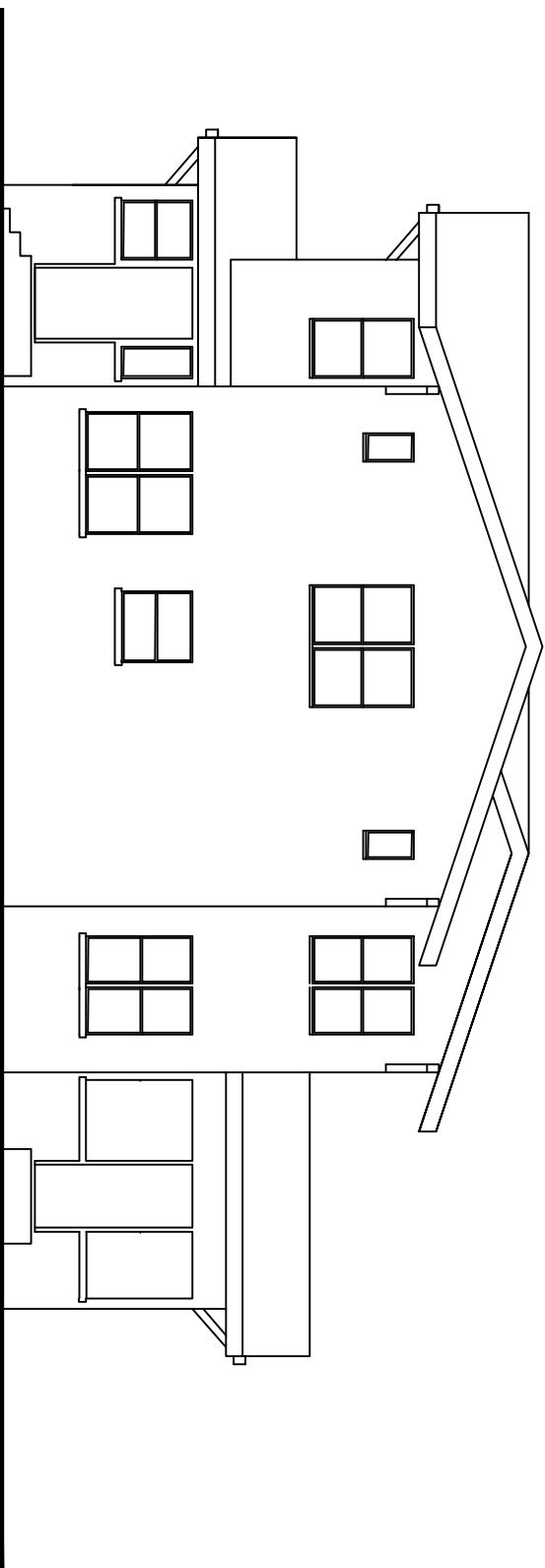
WEST ELEVATION

Scale: 1/8" = 1'-0"



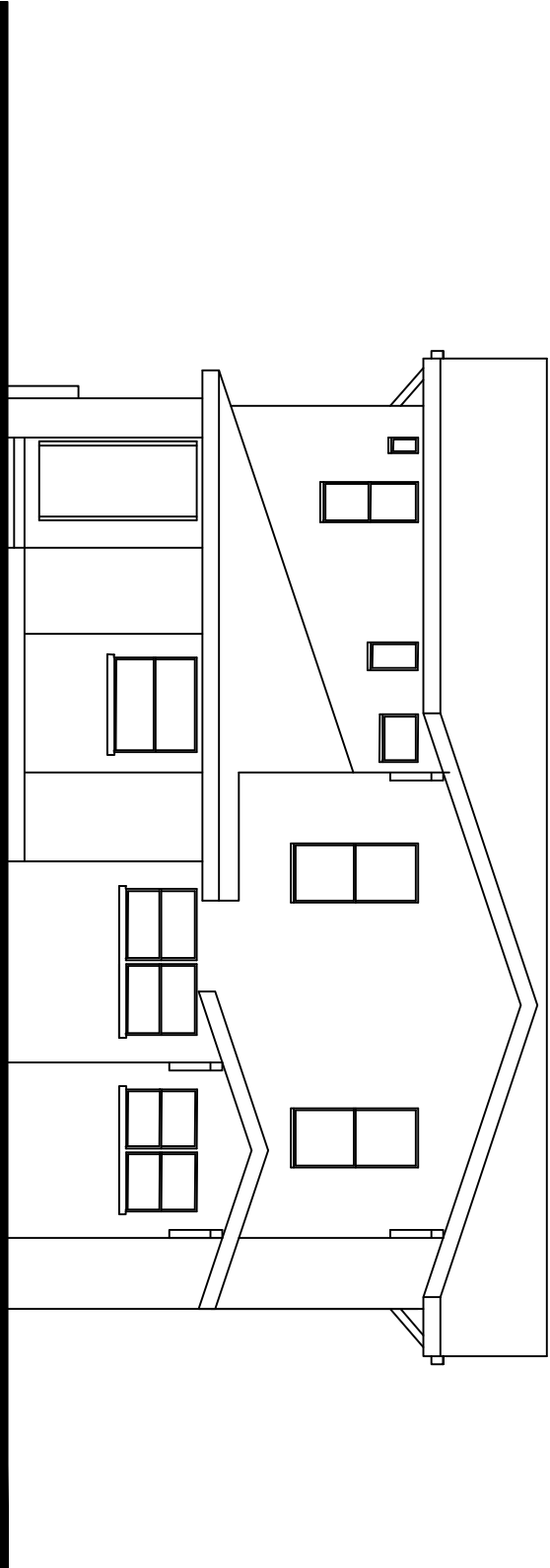
NORTH ELEVATION

Scale: 1/8" = 1'-0"



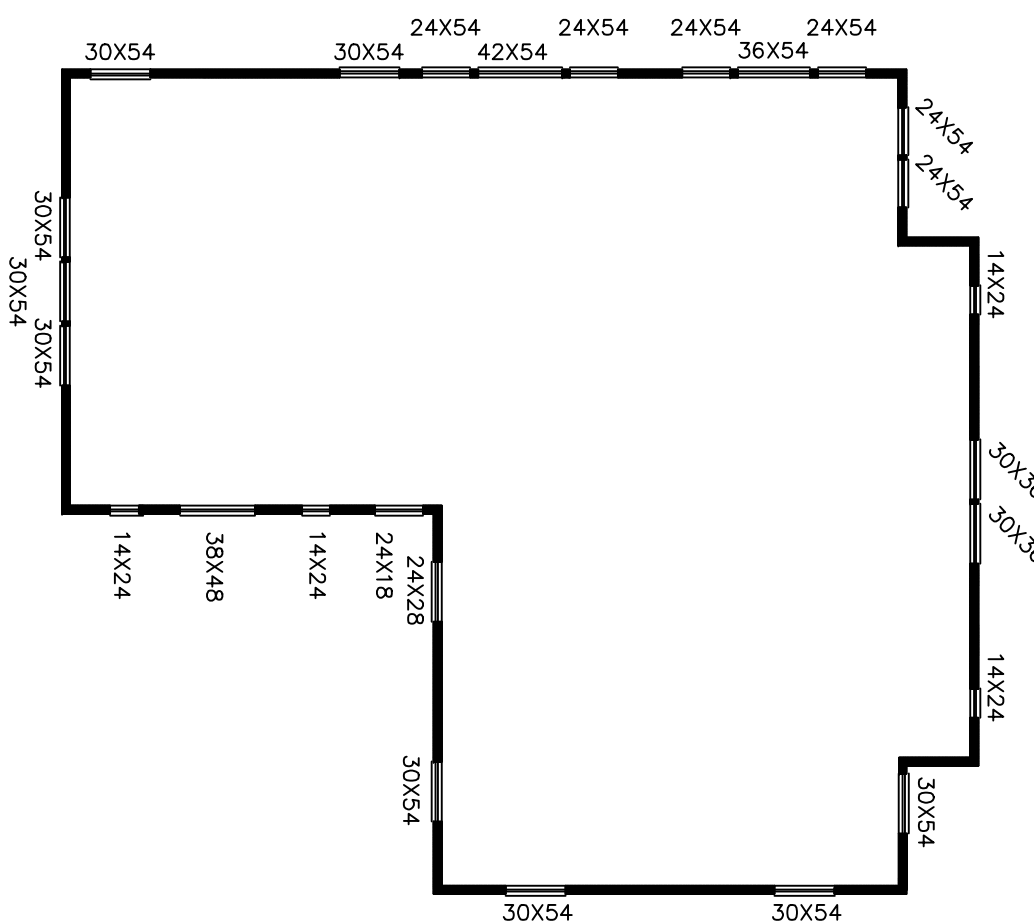
EAST ELEVATION

Scale: 1/8" = 1'-0"



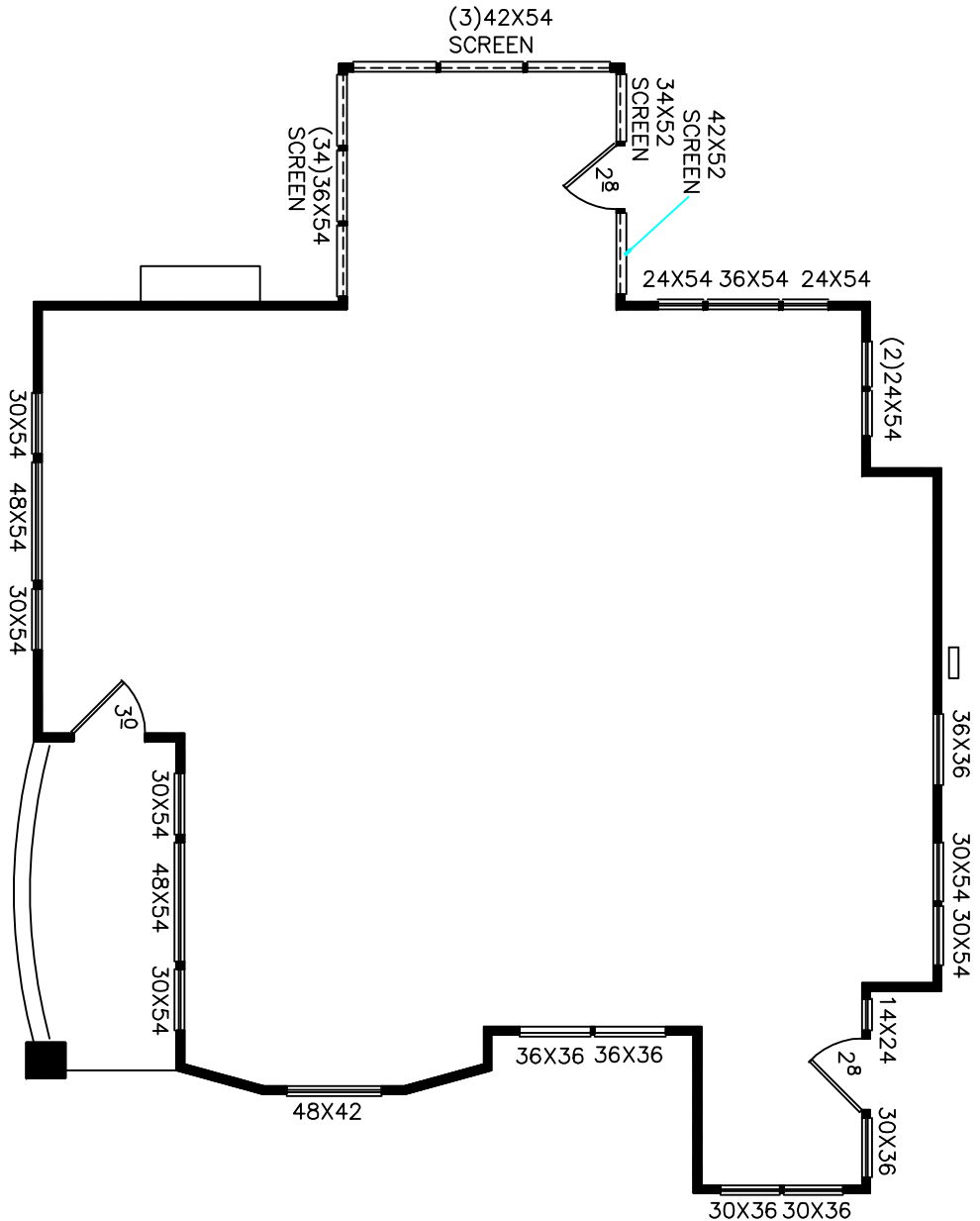
SOUTH ELEVATION

Scale: 1/8" = 1'-0"



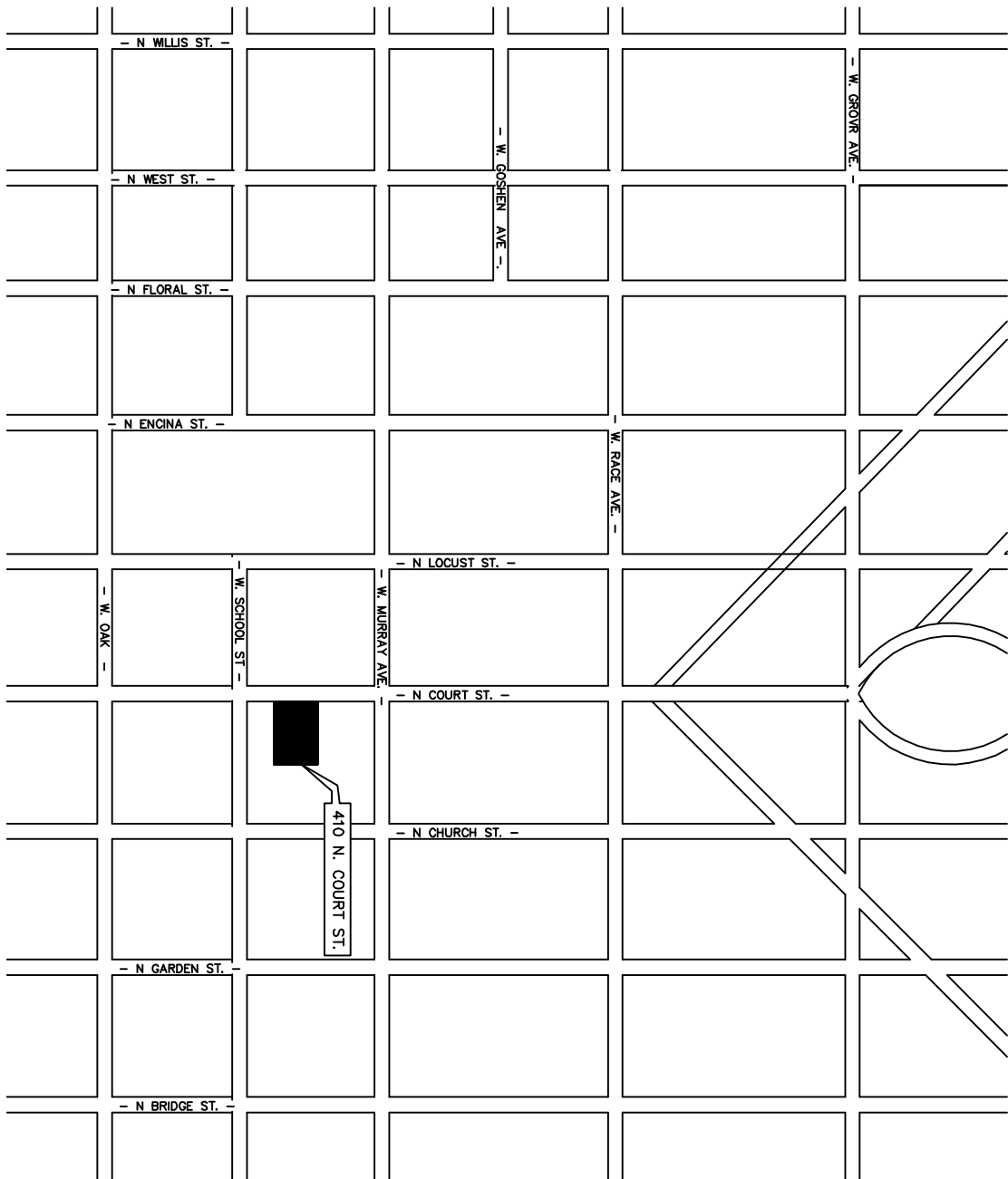
SECOND FLOOR PLAN

Scale: 1/4" = 1'-0"



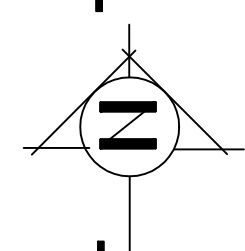
FIRST FLOOR PLAN

Scale: 1/8" = 1'-0"



VICINITY MAP

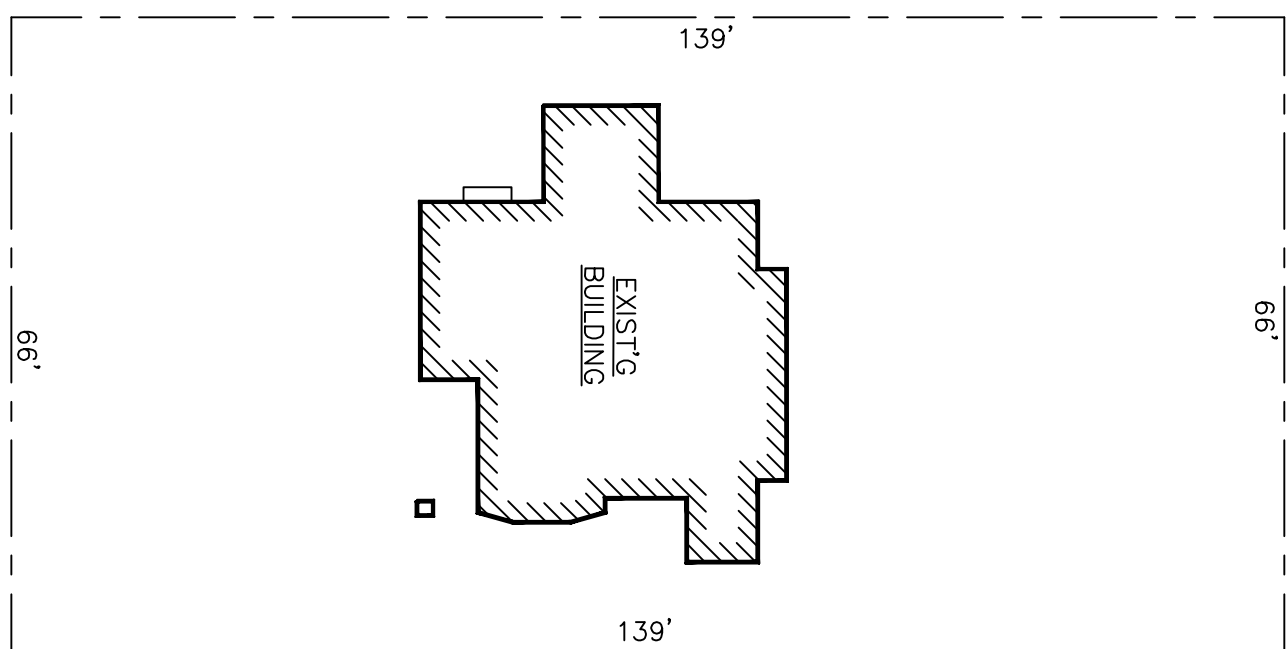
410 N. COURT ST.
APN: 094-271-006



NO SCALE

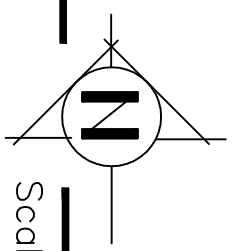
NOTE:

- RETROFIT WINDOWS TO BE FIT TO EXISTING OPENINGS 48 WINDOWS .
- WINDOWS TO BE "MILGARD" V300 TRINISIC EXTERIOR WHITE/INTERIOR WHITE NO FIN W/ SLOPED STILL ADAPTER 1/8" SUN COATMAX (LOWE) OVER 1/8" CLEAR GRAY EDGE GUARDMAX SPACER STANDARD SCREEN W/ FIBERGLAS MESH U--28SMGC .20 VT.48 STC 30, DTC 25, PG: LC-PG30
- EXISTING TRIM TO REMAIN.
- EXISTING STUCCO FINISH TO REMAIN.
- ALL EXTERIOR TREATMENTS TO REMAIN AS IS.



SITE PLAN

410 N. COURT ST.
APN: 094-271-006



Scale: 1"=20'-0"

WINDOW REPLACEMENTS FOR:

FISTOLERA CONSTRUCTION

410 N. COURT ST. VISALIA, CA.

STEPHEN O. SPARSHOTT

DESIGN & DRAFTING
1206 W. EVANS
VISALIA, CA. 93277
559-679-7565

SHEET

OF

UPDATE SUBMIT 4-1-25

EXHIBIT B



FISTOLERA CONSTRUCTION INC

420 N. COURT ST, STE 200, VISALIA, CA. 93291

4/1/25

RE: 410 N Court St

To Whom it May Concern,

We are replacing all windows at the above-mentioned address, 410 N. Court St, Visalia, 93291. We are replacing these windows due to age, deterioration and to secure the building from the homeless who have been breaking into the property.

Sincerely,

Kevin Fistolera

Owner/Contractor

KF/sb

RE: FISTOLERA 410 N COURT ST



Sonya Beals <sonya@fistolera.com>

To ● Cristobal Carrillo; ○ Steve Sparshott

Cc ● Catalina Segovia

↩ Reply

↩ Reply All

→ Forward



Tue 04/01/2025 2:52 PM

This sender sonya@fistolera.com is from outside your organization.

You replied to this message on 04/01/2025 2:59 PM.

Hi Cristobal,

I just spoke with Kevin and he says we will rebuild the wooden screens.

*Sonya Beals
Project Coordinator
Fistolera Construction Inc.
559-625-8372*



April 18, 2025

Kevin Fistolera
420 North Court Street
Visalia, CA 93291

RE: Historic Preservation Advisory Committee Item No. 2025-05 (410 North Court Street)

On April 9, 2025, the Historic Preservation Advisory Committee (HPAC) reviewed your request to replace 48 windows on a single-family residence located in the DMU (Downtown Mixed Use) Zone, located at 410 North Court Street (APN: 094-271-006). A motion to approve the request was denied by the HPAC by a vote of 5 to 2 (Committee Members Jay Hohlbauch and Michael Tomola voted to approve the request). The denial of the request was based upon the following findings:

Findings:

1. That the project site is within the Historic District and is listed on the Local Register of Historic Structures. Furthermore, the building is associated with Clarence Linn Bradley, a member of the prominent Visalia family the Bradely's, who was a lawyer, member of the American Legion, the Benevolent Protective Order of Elks, and the Knights of Columbus.
2. That the proposal would create an inconsistency with other significant structures in the surrounding streetscape and Historic District, as it would eliminate one of the remaining original and defining features of the residence, thus diminishing the structure's historic integrity, in contrast with other buildings within the 400 Block of North Court Street, which maintain their original wood windows.
3. That the proposal is not in keeping with the goals of the Historic Preservation Ordinance and Historic Preservation Element, which promote the protection and preservation of Local Register historic structures and their defining architectural characteristics. The proposal would eliminate one of the remaining original and defining features of the residence, thus diminishing the structure's historic integrity, in contrast with other buildings within the 400 Block of North Court Street, which maintain their original wood windows.
4. That the proposal would be injurious to the character of the surrounding area and Historic District, as it would eliminate one of the remaining original and defining features of the residence, diminishing the structures' historic integrity. The structure is located along a highly visible main thoroughfare (North Court Street) and is also near the Downtown commercial core. Replacement of the original wood windows would further the deterioration of unique, historic, and architecturally significant structures within the City's central core, furthering the loss of the Downtown area's unique aesthetic.

There is a 10-day appeal period for this action from the date of approval. Any appeal of an action by the Historic Preservation Advisory Committee shall be heard by the Visalia City Council. If you have any questions, please contact me at (559) 713-4443 or e-mail cristobal.carrillo@visalia.city

Regards,

A handwritten signature in blue ink, consisting of a stylized 'C' followed by a long horizontal stroke and a small flourish at the end.

Cristobal Carrillo,
Associate Planner



REPORT TO THE CITY OF VISALIA HISTORIC PRESERVATION ADVISORY COMMITTEE

HEARING DATE:

April 9, 2025

PROJECT PLANNER:

Catalina Segovia, Planning Technician

Phone: (559) 713-4449

E-mail: catalina.segovia@visalia.city

SUBJECT: Historic Preservation Advisory Committee Item No. 2025-05: A request by Kevin Fistolera to replace 48 windows on a single-family residence located in the DMU (Downtown Mixed Use) Zone. The project site is located at 410 North Court Street (APN: 094-271-006).

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Advisory Committee (HPAC) approve the request based on the findings and conditions within this report.

SITE DATA

The site is zoned DMU (Downtown Mixed-Use) and contains a vacant residence and a 10-stall parking lot.

The project site is located within the Historic District and is listed on the Local Register of Historic Structures with a "Focus" classification. The structure contains "Craftsman" and "Bungalow" style architectural elements.



PROJECT DESCRIPTION

Per the operational statement in Exhibit "B", the applicant is requesting approval to remove and replace all the windows of the residence, numbering 48 in total. Per the development plan in Exhibit "A", the applicant will be replacing the windows with Milgard V300 Trinsic vinyl windows, and rebuilding wood screens for use on the building.

Per the applicant, the replacement is required due to the age and deterioration of the original windows. The applicant states that the windows must be replaced to better secure the building from vandalism and break ins.

DISCUSSION

Development Standards

The footprint of the structure will not be altered as a result of the proposal. As such, the proposed improvements will comply with all development standards of the D-MU Zone.

Architectural Compatibility

Visalia Municipal Code Section 17.56.110 contains criteria for review of exterior alterations to structures listed on the Local Register. Criteria is aimed towards preserving original and distinguishing features of Local Register structures. This includes emphasis on the following:

- *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- *Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure or site, shall be treated with sensitivity.*
- *Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.*

Due to their design, variety, and placement, the windows are considered a distinguishing feature of the building. If they are to be replaced, the applicant must demonstrate that replacement is necessary, and that the replacement materials match the original in "...composition, design, color, texture, and other visual qualities."

In this instance, the applicant has submitted evidence that the windows are in disrepair (see site pictures in Exhibit "B"). Staff also concluded a site visit on April 4, 2025, and determined that the windows show significant damage, including rotted wood frames and broken glass panes.

The proposed window replacement would maintain the building's original character. Features such as window trim and sills would remain. New windows and wood screens will be conditioned to maintain the same features as the original windows, such as their operating mechanism and style, mullion patterns and spacing, frame dimensions and profiles, and sightlines and proportions (see Condition No. 2). The applicant will also rebuild wood window screens for use on the building (Condition No. 3). These rebuilt screens will match the original screens and will help maintain the building's original character. With the application of these conditions, the proposal will preserve the overall historical integrity of the structure.

FINDINGS AND CONDITIONS

For HPAC Item No. 2025-05 staff recommends that the Committee approve the window change out to the residence, subject to the findings and conditions listed below:

Findings

1. That the project site is listed on the Local Register of Historic Structures and is within the Historic District.
2. That the proposal will be consistent with uses onsite, the surrounding area, and the Historic District.
3. That the proposal will be consistent with the Historic Preservation Ordinance and Historic Preservation Element.
4. That the proposal will not be injurious to the character of the Historic District.

Conditions

1. That the project shall be developed in substantial compliance with the development plan in Exhibit "A" and operational statement in Exhibit "B", except as modified by the conditions below.
2. That the new windows shall match the features of the original windows, including operating mechanism and style, mullion patterns and spacing, frame dimensions and profiles, and sightlines and proportions. That the project undergoes the appropriate City permitting process for exterior alterations on the project site.
3. That the applicant shall rebuild and install wood window screens for all the windows that can support window screens. The window screens shall retain an appearance consistent with the original window screens depicted in Exhibit "A",
4. That any other exterior alterations to the site shall be brought before this Committee for review and approval prior to the issuance of any Building Permits and/or their installation or construction.
5. That all other City codes, ordinances, standards, and regulations shall be met.
6. That the approval from the Historic Preservation Advisory Committee shall lapse and become void twelve months after the date on which it became effective, unless the conditions of the approval allowed a shorter or greater time limit, or unless prior to the expiration of twelve months a building permit is issued by the city and construction is commenced and diligently pursued toward completion on the site that was the subject of the approval.

ATTACHMENTS

- Exhibit "A" – Development Plan
- Exhibit "B" – Operational Statement
- Aerial Map
- Historic District and Local Register Map

APPEAL INFORMATION

According to the City of Visalia Zoning Ordinance Section 17.56.060, an appeal to the City Council may be submitted within ten days following the date of a decision by the Historic Preservation Advisory Committee (HPAC). An appeal shall be in writing and shall be filed with the City Clerk at 220 N. Santa Fe Street. The appeal shall specify errors or abuses of discretion by the HPAC, or decisions not supported by the evidence in the record. The appeal form can be found on the city's website www.visalia.city or from the City Clerk.



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION

MILGARD

WINDOWS AND DOORS



V300 Trinsic™ Series

V300 Windows \$35 ***** 64" (10x5)

A contemporary vinyl window with an expansive viewable glass area and a narrow frame to help you embrace modern home design. With its aesthetic and functional options, the V300 Series window has a operating style you'll love.

See us at a Builders

EXTERIOR COLORS | INTERIOR COLORS

HORIZONTAL SLIDER

SINGLE-HUNG

CASHEMENT

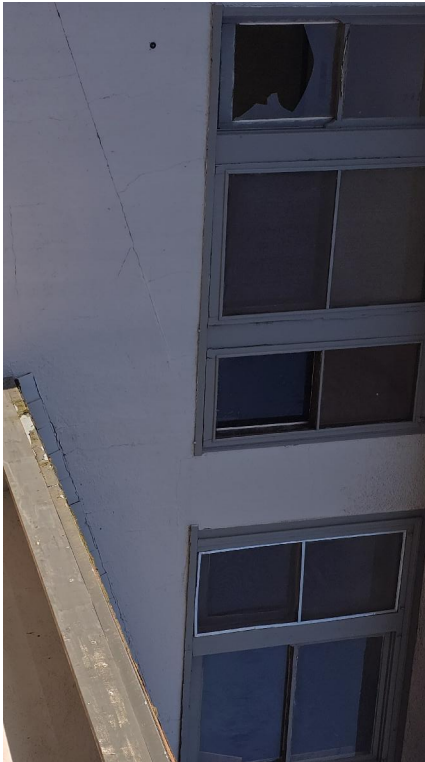
AWNING

V300 Windows & Doors

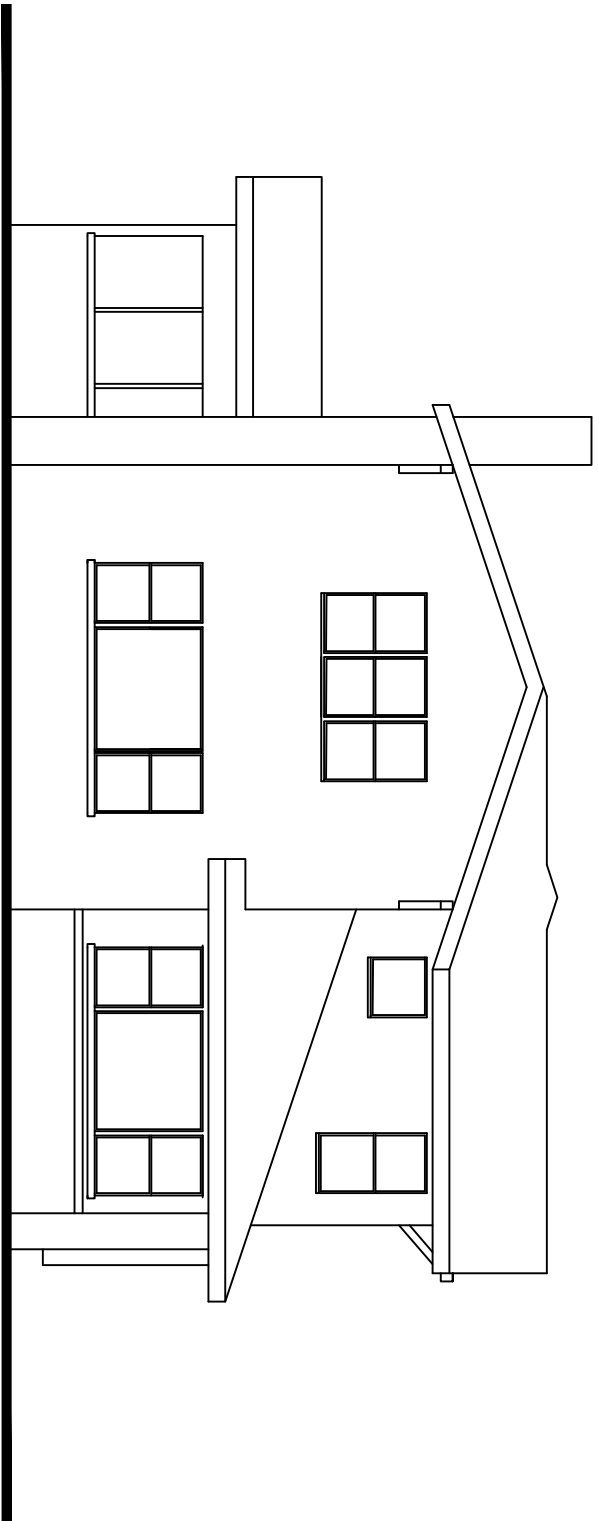
This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners.

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EXISTING WINDOWS



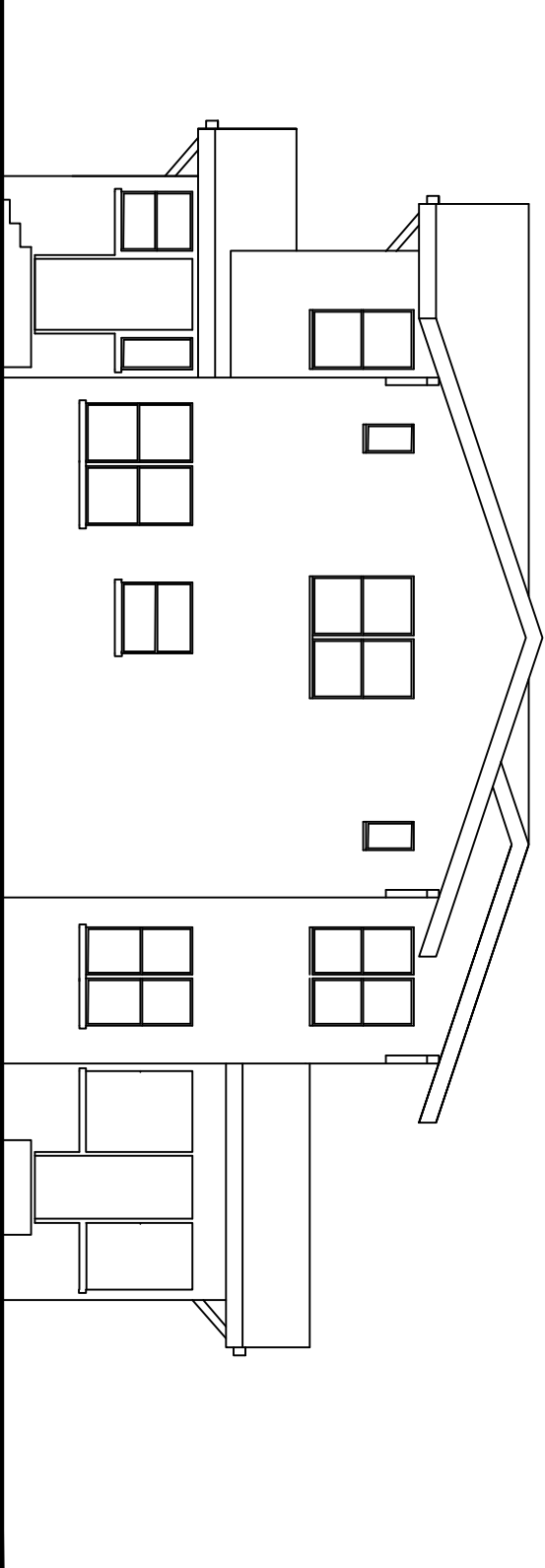
WEST ELEVATION

Scale: 1/8" = 1'-0"



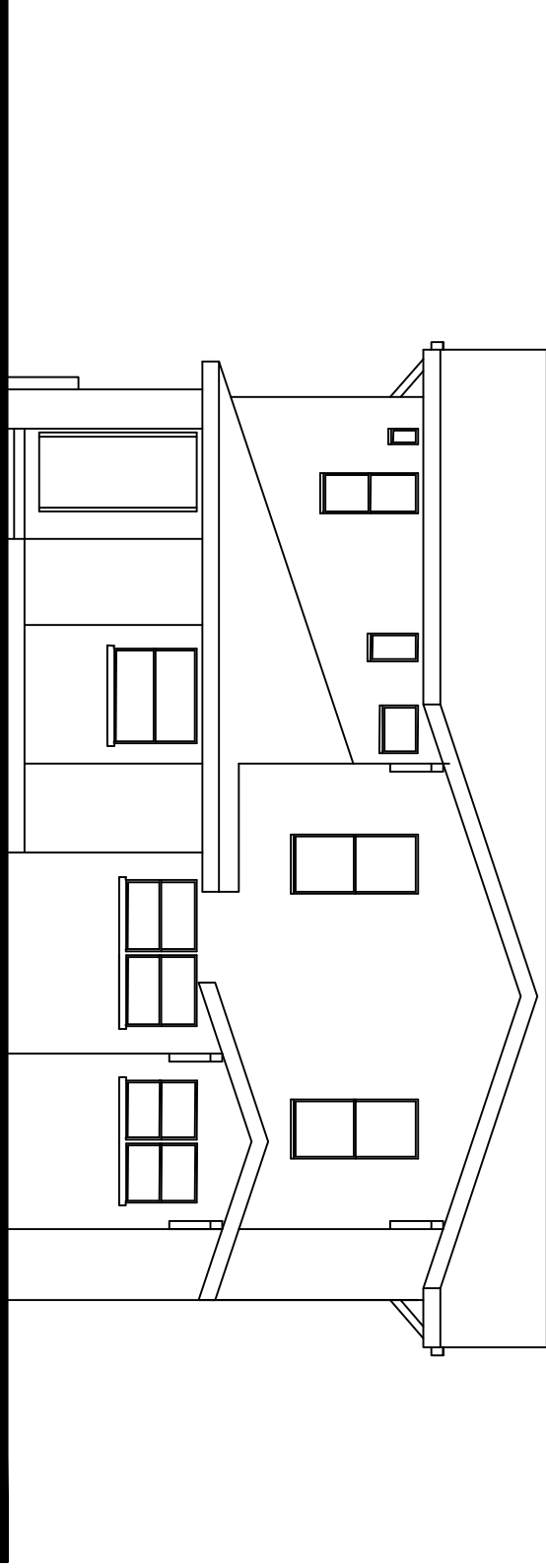
NORTH ELEVATION

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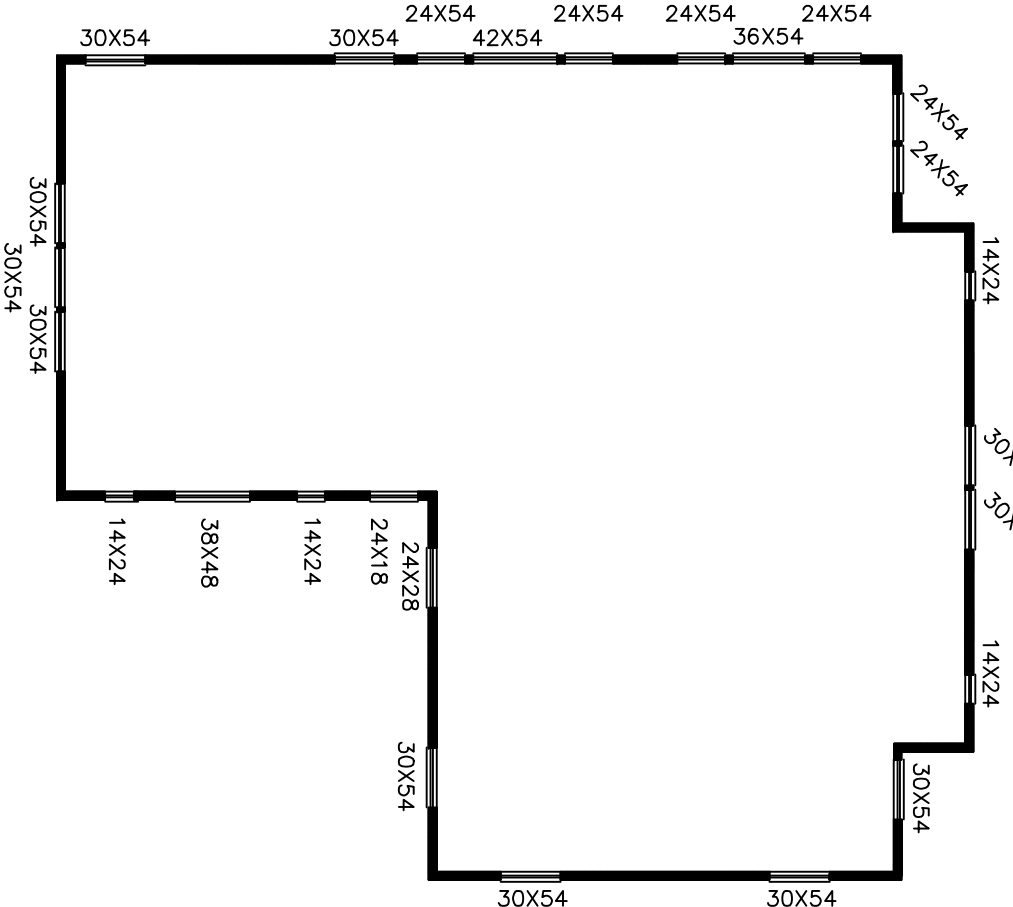
EAST ELEVATION

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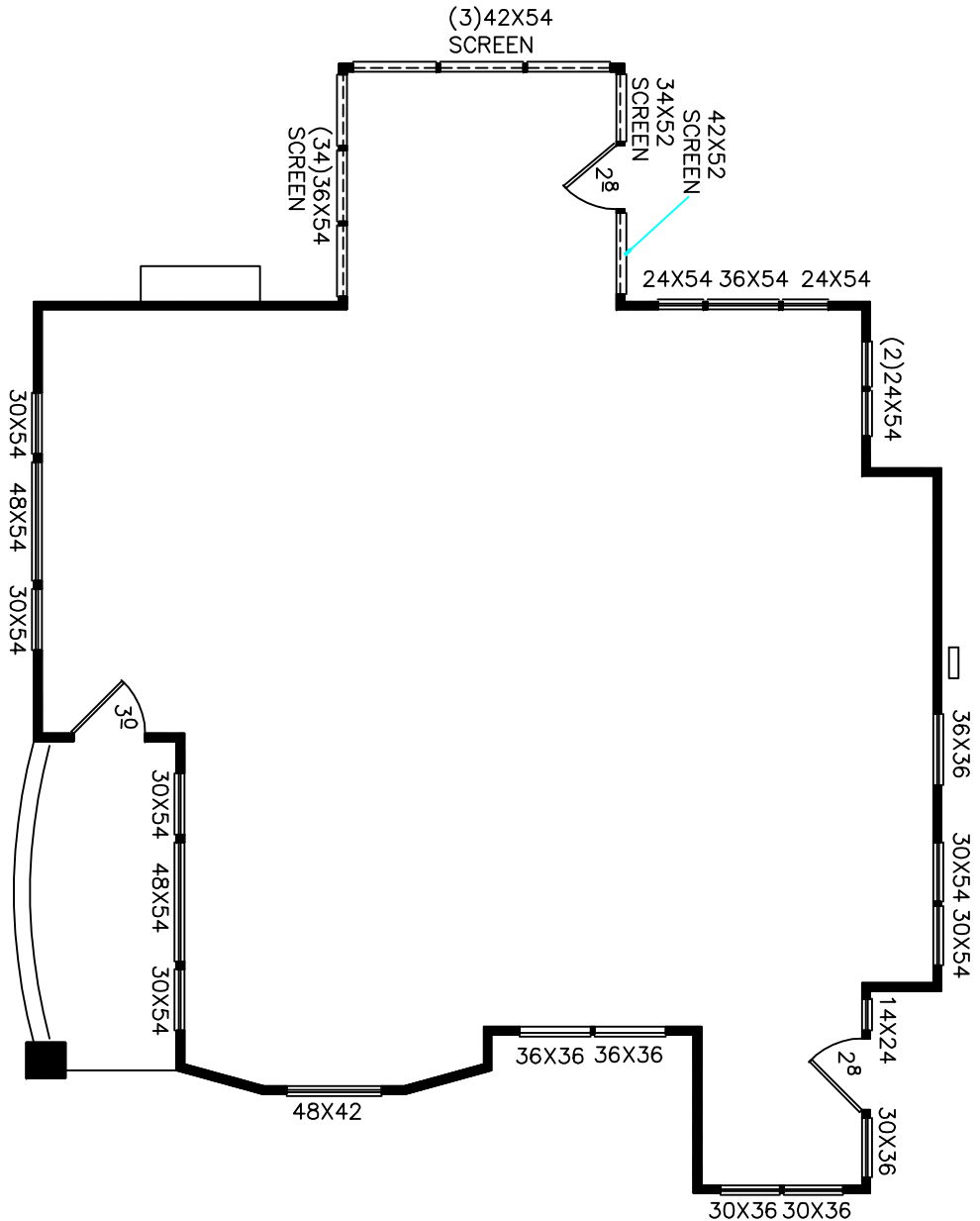
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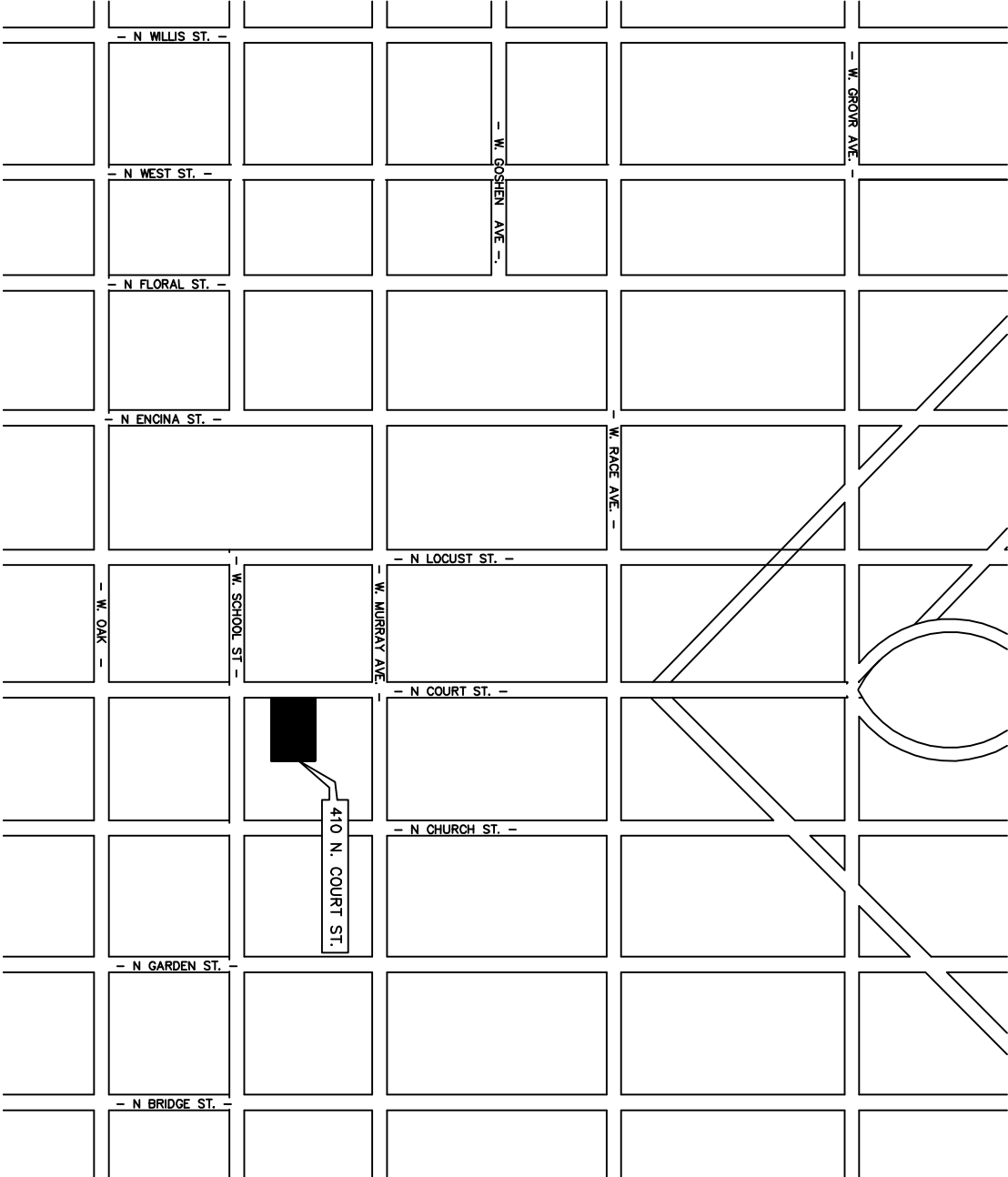
SECOND FLOOR PLAN

Scale: 1/4" = 1'-0"



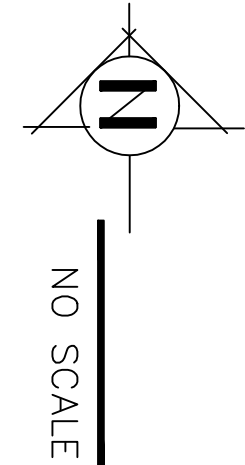
FIRST FLOOR PLAN

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VICINITY MAP

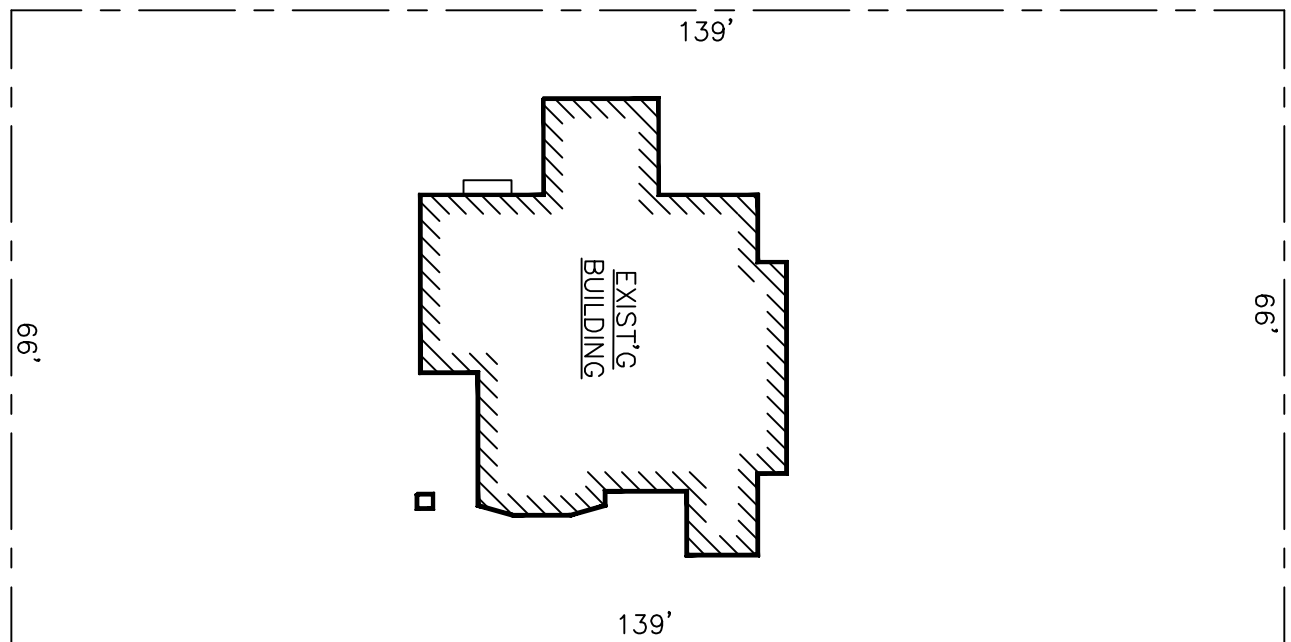
410 N. COURT ST.
APN: 094-271-006



NO SCALE

NOTE:

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SITE PLAN

410 N. COURT ST.
APN: 094-271-006

Scale: 1"=20'-0"

WINDOW REPLACEMENTS FOR:

FISTOLERA CONSTRUCTION

410 N. COURT ST. VISALIA, CA.

STEPHEN O. SPARSHOTT

DESIGN & DRAFTING
1206 W. EVANS
VISALIA, CA. 93277
559-679-7565

SHEET

OF

EXHIBIT B



FISTOLERA CONSTRUCTION INC

420 N. COURT ST, STE 200, VISALIA, CA. 93291

4/1/25

RE: 410 N Court St

To Whom it May Concern,

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Sincerely,

Kevin Fistolera

Owner/Contractor

KF/sb

RE: FISTOLERA 410 N COURT ST



Sonya Beals <sonya@fistolera.com>

To ● Cristobal Carrillo; ○ Steve Sparshott

Cc ● Catalina Segovia

↩ Reply

↩ Reply All

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Tue 04/01/2025 2:52 PM

This sender sonya@fistolera.com is from outside your organization.

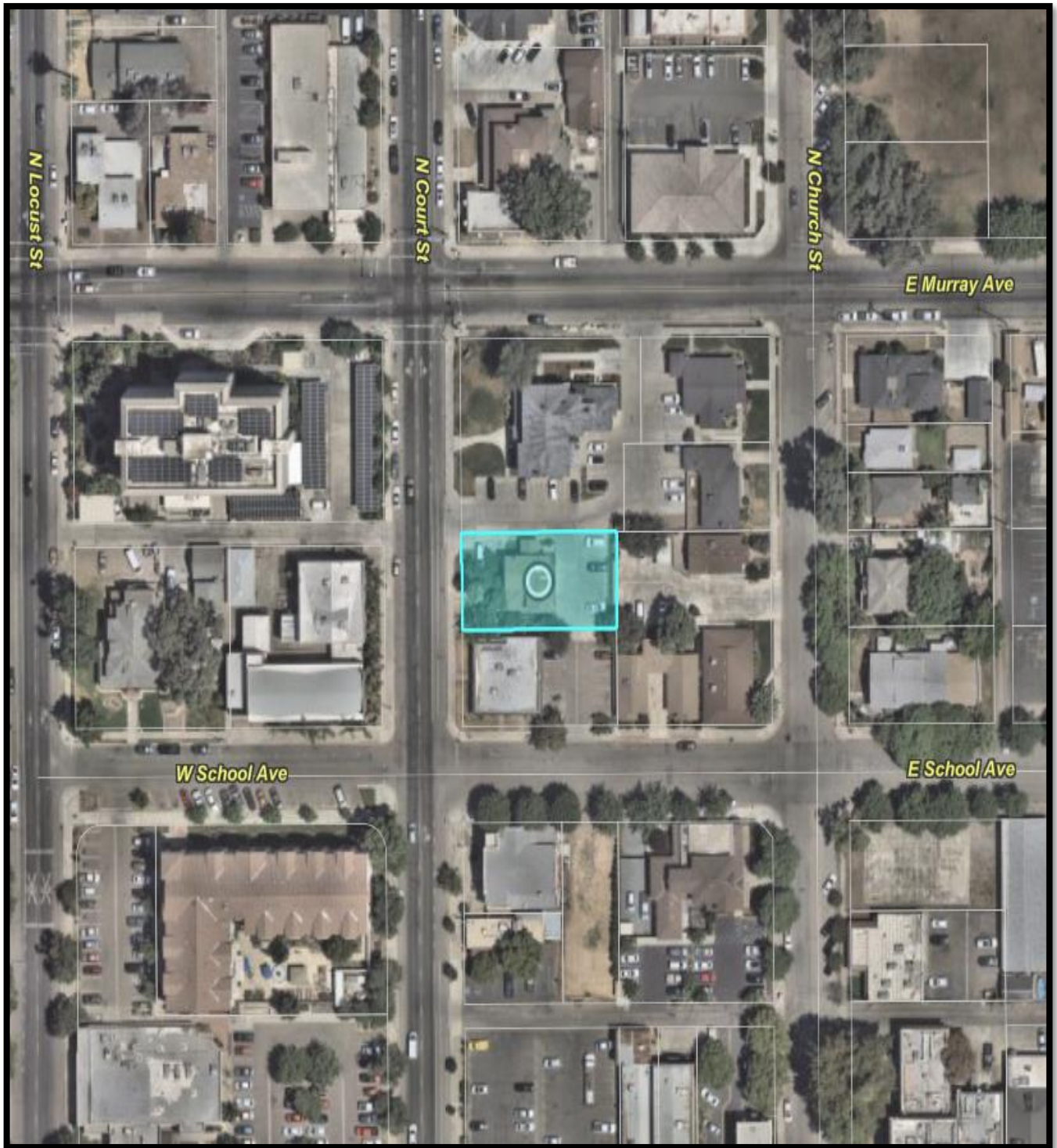
You replied to this message on 04/01/2025 2:59 PM.

Hi Cristobal,

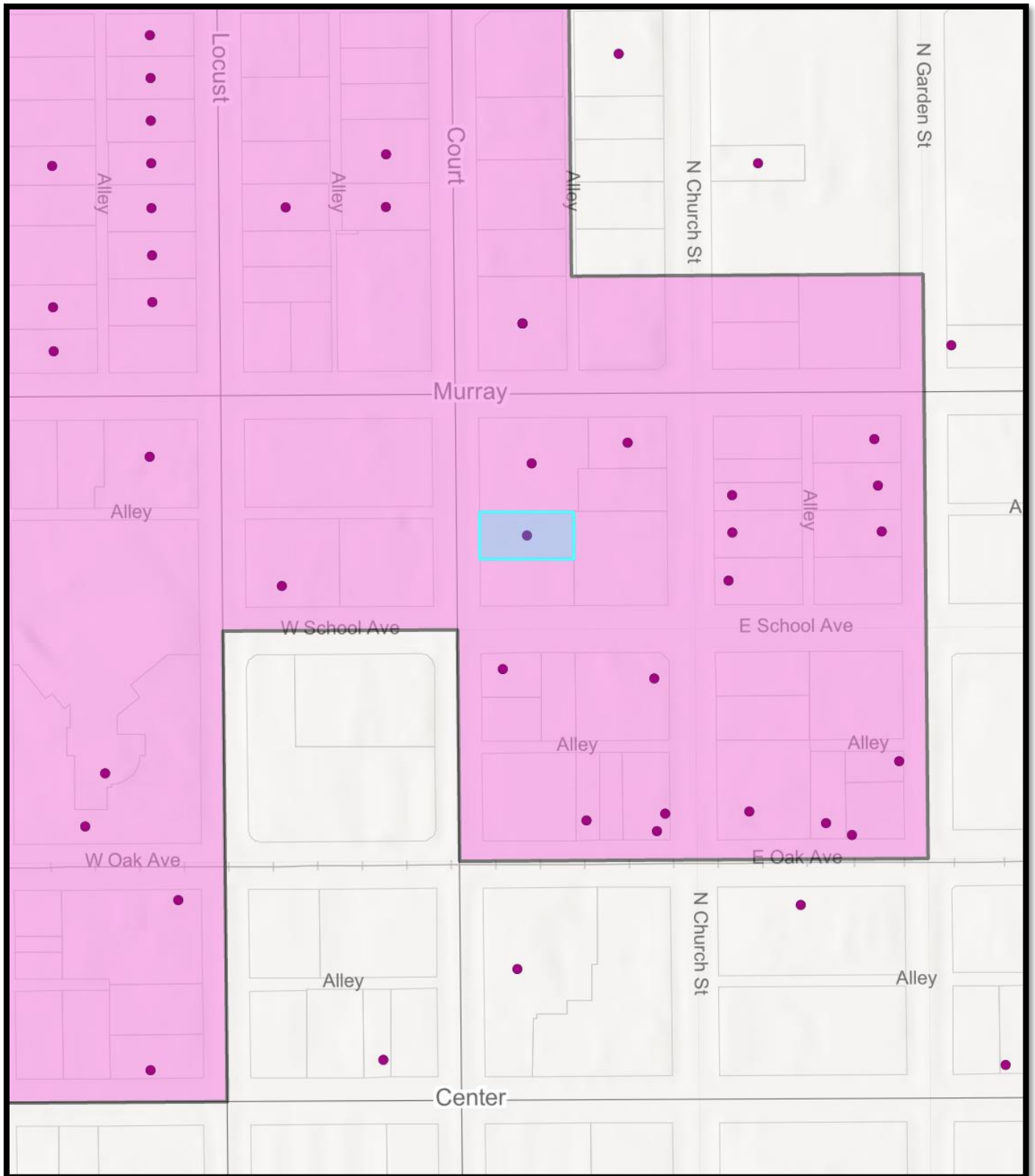
I just spoke with Kevin and he says we will rebuild the wooden screens.

*Sonya Beals
Project Coordinator
Fistolera Construction Inc.
559-625-8372*

AERIAL MAP



HISTORIC DISTRICT & LOCAL REGISTER MAP



Visalia HPAC Public Comment on 410 N. Court St.



Aaron Collins <aeronchase@hotmail.com>

To ● Cristobal Carrillo

↩ Reply


↩ Reply All

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Hi Cristobal,

I would like to submit the following public comment regarding the proposed changes to 410 N. Court St. I am a nearby homeowner at 614 S. Court St., the 1904 McCabe residence located in the Historic District and listed in the City's register, and featured in the book of homes titled Visalia's Heritage (McCabe was our Chief City Engineer at the turn of the 20th Century).

Dear City of Visalia HPAC:

The Fistolera Construction office next door to 410 N. Court St. — at 420 North Court — is such a grand structure that 410's more modest appearance might be overshadowed in historical importance. But 410's era of simpler design is historically significant nonetheless, and therefore offers fewer details that reflect and convey its historicity. That means that insensitively stripping or altering key elements has a disproportionately large impact and is perhaps more vulnerable to losing its authenticity.

Because many of Visalia's historic homes are located both within the Historic District and demographically at-risk neighborhoods, including my own, homeowners face a tall order in protecting our city's beloved cultural treasure. That responsibility for compliance is even greater considering that Fistolera is in the contracting business. Any construction firm plays a unique role in faithfully upholding all applicable regulations, including fidelity to maintaining the full context of what makes a structure historical: Its style cues, proportions, features, location, context, and functional elements.

As a homeowner on a single nonprofit income (Sequoia Riverlands Trust), I struggle at times to maintain my 1904 property nearby on Court St. (including my beleaguered 121-year-old windows in need of replacement) in accordance with Visalia's historic preservation goals. I aim to uphold those rules nonetheless. In comparison, financially successful businesses like the owners of 410 are not similarly challenged in their upholding the historic preservation ordinance when remodeling and should be held to the program's high standards.

I have previously known Fistolera Construction as a good corporate citizen of our town (as was the late Mike Fistolera himself) and expect that they, too, would wish to maintain the highest standards in any historic restoration, thereby protecting their reputation by setting the example and serving as a model for upholding both the spirit and letter of Visalia's historic preservation program. Maintaining historically accurate features such as wood windows and their correct details and proportions should pose no burden for the owners of 410 N. Court St. and the committee should see to it that compliance is upheld.

Thank you for considering my viewpoints when deliberations occur. As a citizen committed to historic preservation I appreciate the opportunity for community input.

Best Regards,

Aaron Collins, 614 S. Court St., Visalia CA Sequoia Riverlands Trust Director of Investments and Partnerships

Re: City of Visalia: Historic Preservation Advisory Committee - April 9, 2025 Meeting A...



B. "Clean is Less Mean" H. <whuott2013@gmail.cor
To ● Cristobal Carrillo

↩ Reply


↩ Reply All

➡ Forward



Fri 04/04/2025 5:57 PM

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Public comment on Agenda

I support both projects listed on Agenda

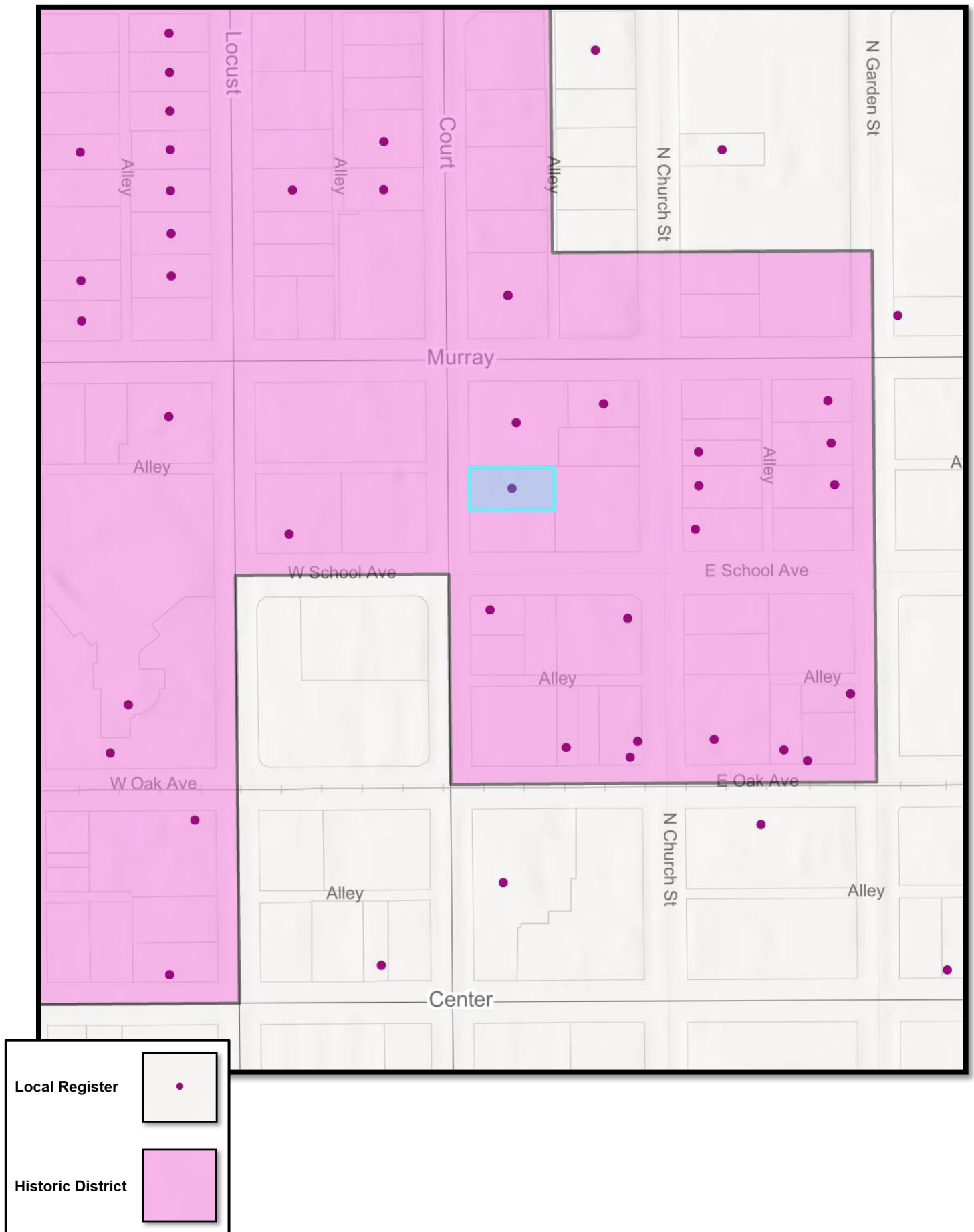
Bill Huott

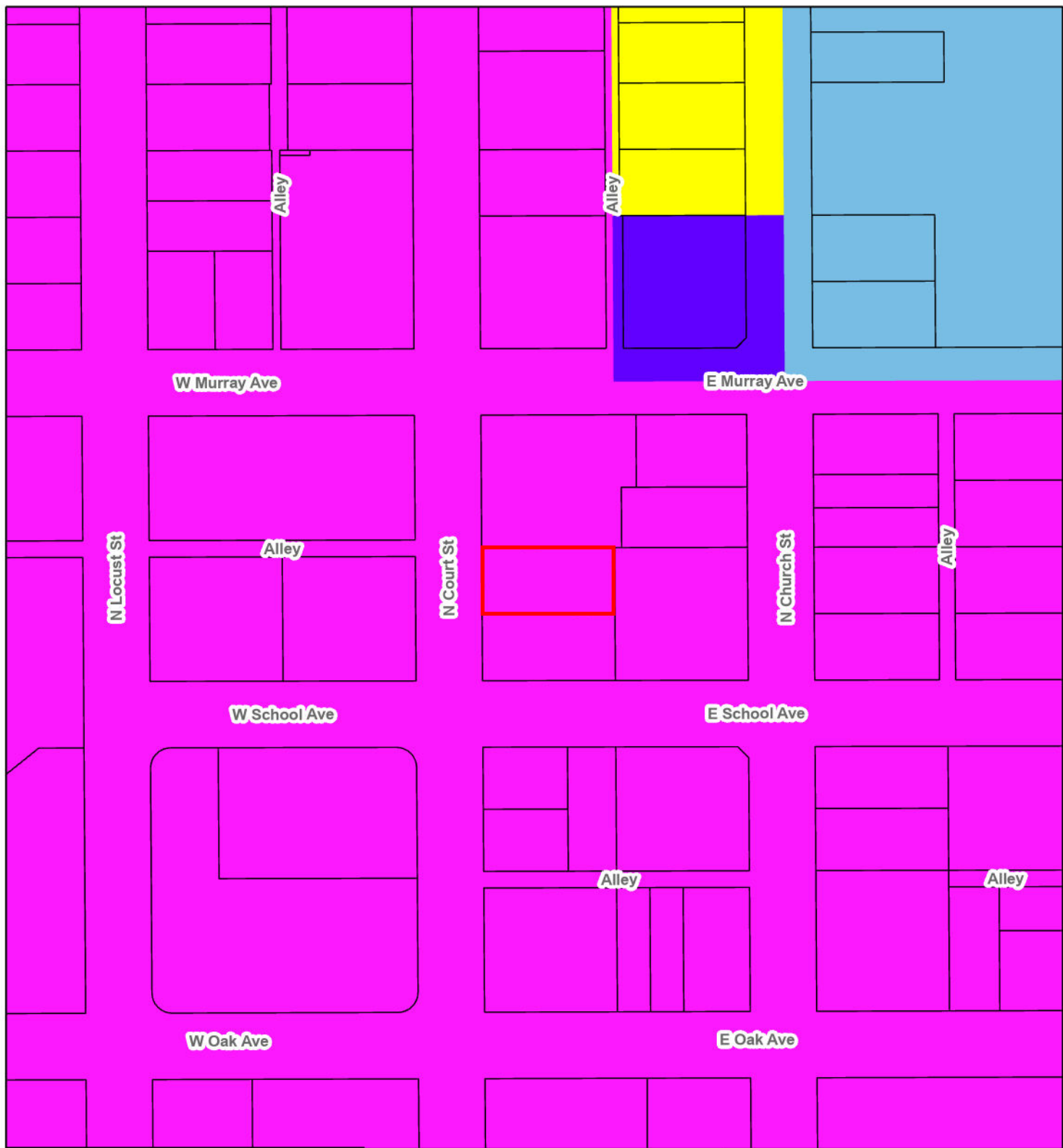
Visalia

Willis Street

Sent from my iPad

HISTORIC DISTRICT & LOCAL REGISTER MAP





General Plan Land Use Map

0 0.01 0.03 0.05 Miles

- Downtown Mixed Use
- Office
- Public Institutional
- Residential Low Density





Aerial Map

0 0.01 0.01 0.03 Miles



