determinationResolution No.

STOCKTON CULTURAL HERITAGE BOARD

RESOLUTION RECOMMENDING THE COMMUNITY DEVELOPMENT DIRECTOR ISSUE A CERTIFICATE OF APPROPRIATENESS FOR THE CONSTRUCTION OF A TWO-STORY DUPLEX AT 1028 NORTH SUTTER STREET ON A PROPERTY LOCATED WITHIN THE MAGNOLIA HISTORIC DISTRICT (APPLICATION NO. P26-0130)

On May 14, 2026, the applicant and property owner Rigoberto Magana submitted an application for an Administrative Use Permit and Certificate of Appropriateness to construct a two-story duplex at 1028 North Sutter Street (APN: 139-180-32) on a property zoned CO (Commercial, Office) with a General Plan land use designation of Administrative Professional within the Magnolia Historic District; and

A Certificate of Appropriateness is required pursuant to Stockton Municipal Code (SMC) 16.220.060(A)(1)(c) because the project involves new construction within a historic preservation district; now, therefore,

BE IT RESOLVED BY THE CULTURAL HERITAGE BOARD OF THE CITY OF STOCKTON, AS FOLLOWS:

A. The foregoing recitals are true and correct and incorporated by this reference.

B. Based on its review of the entire record herein, the Cultural Heritage Board makes the following findings in italics:

Certificate of Appropriateness Findings

The issuance of the Certificate of Appropriateness would:

1. Designate, enhance, preserve, protect, restore, and perpetuate those historic districts, neighborhoods, sites, structures, and zones, which contribute to the aesthetic and cultural benefit of the City.

   The project site is located along the eastern edge of the Magnolia Historic District on North Sutter Street. The currently vacant lot gives the impression of urban blight and decay. Development of the lot with new residences in the Minimalistic Italianate cube architectural style will be a positive initial impact to travelers, enhancing the District. The investment in new residences on a long-term vacant lot will help perpetuate the Magnolia District.

2. Encourage public appreciation, knowledge, and understanding of, and a sense of identity with, the City's past.

   The development of this vacant lot at one of the entry points to the Magnolia Historic District along the eastern border will make the District more appealing to the public, will help encourage public appreciation of Stockton's history, and provide a sense of identity with the City's history by removing urban blight and replacing it with new homes designed to be consistent with the District.

3. Foster civic and neighborhood pride in the accomplishments and beauty of the past.

   The proposed project in the Italianate cube style is consistent with the architectural character of existing residential structures within the Magnolia Historic District, which will foster civic and neighborhood pride in the accomplishment and beauty of the past.

4. Stabilize and improve the economic value of historic districts, neighborhoods, sites, structures, and zones.

   The development of this property with a residence in the Italianate cube style will greet travelers with historic looking homes rather than the current vacant lot, which may contribute to the stabilization and improvement of the economic value of adjacent properties by removing blight.

5. Help preserve the diverse architectural design and styles that reflect phases of the City's history and encourage complementary design and construction.

   The new structures are designed as a blend of minimalist Italianate cube and Contemporary architectural style. The Citywide Design Guidelines state that the prevailing architectural styles within the Magnolia District include: Greek Revival cottages, Italianate, Queen Anne, Eastlake, Italian Renaissance, Stick, Shingle, California Bungalow, Spanish Eclectic, Art Deco, Moderne, and Gothic Revival. The design of the project does diversify the architectural design and styles within the Magnolia Historic District and will act to reflect this phase of the City's history and encourage future infill development within the District to utilize designs that are complementary to the historic residences.

6. Promote and encourage continued private ownership and utilization of structures currently owned and used.

   The project promotes and encourages continued private ownership by being funded by a private citizen, as opposed to a corporate entity. Development of the site would complete the residential use of the east side of North Sutter Street between East Magnolia Street and East Acacia Street and would encourage the continued utilization of the existing neighboring residential structures.

Cultural Heritage Board Action:

Based on its review of the entire record herein, Cultural Heritage Board staff report, all supporting, referenced, and incorporated documents, and all comments received, the Cultural Heritage Board recommends the Community Development Director approve the application and issue a Certificate of Appropriateness, subject to the following conditions of approval:

Conditions of Approval

1. This approval recommendation is for the plans included as Exhibits 1 and 2, including the color and material information in the project file.

2. The property owner(s), developers, and/or successors-in-interest shall comply with all applicable Federal, State, County and City codes, regulations, and adopted standards and pay all applicable fees.

3. In the event that archaeological resources are discovered during any construction, construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State and Federal law. In the event human remains are discovered during any construction, construction activities shall cease, and the County Coroner and Director shall be notified immediately in compliance with CEQA Guidelines 15064.5(d). A qualified archaeologist shall be contacted to evaluate the situation. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify the most likely descendent of the Native American to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods per Section 16.36.050 of the SMC.

4. Compliance with these Conditions of Approval is mandatory. Failure to comply with these Conditions of Approval is unlawful, constitutes a public nuisance, and is subject to the remedies and penalties identified in the Stockton Municipal Code, including but not limited to monetary fines and revocation or modification of the Certificate of Appropriateness.

5. Changes to the approved project shall be processed in compliance with SMC 16.104 (changes to an approved project).

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6. The Certificate of Appropriateness will be valid ten days following this approval unless the action is appealed within the ten-day appeal period.

PASSED, APPROVED, and ADOPTED October 7, 2026.

THOMAS E. GROOM, Chair
Stockton Cultural Heritage Board

ATTEST:

ALEXANDER C. GUILBERT, Secretary
Stockton Cultural Heritage Board