

BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING AGENDA

Thursday, March 26, 2009

6:30 P.M.

I. OPENING OF MEETING

- Pledge of Allegiance

- Roll Call of Commissioners

- Reference to Fundamental Rights of Public -

A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. AGENDA CHANGES AND DISCUSSION

III. OPPORTUNITY FOR PUBLIC COMMENT

- WRITTEN

- PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Historic Preservation Review Commission or a member of the public by submitting a speaker slip for that item.

*

Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Historic Preservation Review Commission meeting, prior to the reading of the Consent Calendar.

- Approval of Agenda
- [Approval of Minutes of February 26, 2009](#)

V. REGULAR AGENDA ITEMS

- [250 WEST H STREET - ADDITION TO EXISTING SINGLE FAMILY DETACHED DWELLING UNIT](#)

09PLN-5 Design Review

250 West H Street, APN: 089-111-040

PROPOSAL:

The applicant requests design review approval to expand an existing residential building from 2,318 to 3,317 square feet. The applicant proposes to construct an additional 999 square feet at the rear of the building in order to: (1) enlarge the basement; (2) add a new bedroom, bathroom, and sitting room on the first floor, (3) add a bathroom, recreation room and office to the second story. This project is located within the Downtown Historic District and listed as a Contributing Building, thereby subject to the Downtown Historic Conservation Plan (DHCP) guidelines for Historic Buildings for residential building types.

Recommendation:

Approve a 999 square foot addition to the property at 250 West H Street, based on the findings and subject to the conditions in the proposed resolution.

B. [COMMISSION RULES & PROCEDURES](#)

The Commission will discuss current Rules and Procedures and, if necessary, adopt changes.

Recommendation:

Discuss, review, take public testimony, and amend rules and procedures.

- COMMUNICATIONS FROM STAFF

- [COMMUNICATIONS FROM COMMISSIONERS](#)

- **ADJOURNMENT**

Public Participation

The Benicia Historic Preservation Review Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Historic Preservation Review Commission allows speakers to speak on agenda and non-agenda matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Historic Preservation Review Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Valerie Ruxton, the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Historic Preservation Review Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Historic Preservation Review Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Historic Preservation Review Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Historic Preservation Review Commission decisions that are final actions, not recommendations, are considered by the Planning Commission. Appeals must be filed in the Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Community Development Department during regular working hours. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Gina Eleccion, Management Analyst, as soon as possible so that it may be distributed to the Historic Preservation Review Commission.



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING MINUTES

**Thursday, February 26, 2009
6:30 P.M.**

I. OPENING OF MEETING

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**
- C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. AGENDA CHANGES AND DISCUSSION

Charlie Knox suggested moving Item IV-A after Item VI-A.

On motion of Commissioner Crompton, seconded by Commissioner White, the agenda changes were supported.

III. OPPORTUNITY FOR PUBLIC COMMENT

- A. WRITTEN**
No written comments were submitted.
- B. PUBLIC COMMENT**
None.

IV. PRESENTATION

- A. OPEN GOVERNMENT PRINCIPLES**
The City Attorney will be giving an overview of the Open Government Ordinance, including Brown Act, Conflict of Interest, Ethics, Public Records and Ex-Parte Communication.

Heather McLaughlin, City Attorney gave an overview of the Open Government Principles. She went over the Brown Act requirements. She commented on the rights of the public. Items must be agendaized for the Commission to have a discussion. An overview of the Conflict of Interest Code was given. A handout with exceptions was distributed. Ethics and Code of Conduct were summarized. She noted that code enforcement is handled on a complaint basis. The Code of Conduct was emphasized. The Policy Role of Members and Positive Work Place Environment, were emphasized.

Heather McLaughlin clarified that a Commissioner can speak as a member of the public when they are conflicted out of an item.

V. CONSENT CALENDAR

On motion of Commissioner Donaghue, seconded by Commissioner Haughey, the Consent Calendar was approved by the following vote:

Ayes: Commissioners Crompton, Donaghue, Haughey, Taagepera, White and Chair Mang
Noes: None
Absent: Commissioner McKee (arrived late)
Abstain: None

A. Approval of Agenda

B. Approval of Minutes of January 22, 2009

C. 726 FIRST STREET (RELLIK TAVERN) – EXTERIOR REPAIR -*Public Hearing

08PLN-58 Design Review
726 First Street, APN: 89-341-010

PROPOSAL:

The owners of the Rellik Tavern request design review approval to repair the south (alley) and east (rear) walls. While performing the interior tenant improvements, the applicant discovered extensive dry rot, resulting in the need to re-frame and re-floor portions of the building, as well as add structural improvements including a portion of new foundation on the southeast corner of the building. Improvements will result in the removal of the inadequate walkway facing the alley; upgrading the plywood siding of the south and east facing walls with stucco to match the remainder of the structure; and, reconstruction of the trash enclosure.

Recommendation: Approve a design review request for exterior repairs at 726 First Street, based on the findings, and subject to the conditions listed in the proposed resolution and as discussed during the public hearing.

RESOLUTION NO. 09-4 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING EXTERIOR REPAIRS AT THE RELLIK TAVERN (formerly PASTIME) ON A BUILDING LOCATED AT 726 FIRST STREET

VI. REGULAR AGENDA ITEMS

- A. **IOOF FAÇADE MODIFICATIONS AND RULES FOR REPAIR** – Staff and the Commission will discuss issues related to repairs of the Odd Fellows building, including potential changes to the Downtown Historic Conservation Plan rules for repair projects.

Recommendation: Provide direction to staff regarding any future modifications to the Odd Fellows building and changes to the Downtown Historic Conservation Plan rules for repair projects.

Charlie Knox gave an overview of the modifications of the building.

Commissioners questioned staff on the estimates. Charlie Knox gave background on the estimates. He suggested the City work with the applicant to agree on a solution. If the Commission suggests replacement of the brick, this would have to be a Strategic Plan priority funded by the City. There is the possibility of acid-washing the brick, but there are issues surrounding this process.

Charlie Knox noted that the City believed the brick would be red. Rather than halt or delay the project, the City allowed the contractor to continue with the brick. Further, he discussed compatibility with the Secretary of the Interior Standards. Commissioners expressed concern with the determination of compatibility.

Commissioners discussed the definitions of repair vs. emergency, and a definition of “minor.” Charlie Knox noted these definitions are not specified.

There was discussion regarding the materials used. There was a previous project at the Masonic Hall where they were made to replace vinyl windows.

The public hearing was opened.

Jim Conlow – He commented on a project brought before the Design Review Commission in 1993. There was no used or simulated brick allowed at that time. He believes the building should have been rehabilitated to as close to original as possible. He does not believe this building would be designated as historic with the existing brick.

A citizen noted that the brick that had been on the building was Benicia brick. She believes the building has lost its identity.

Sandra Shannonhouse – She believes this is selling the City short. She is disappointed at the outcome.

The public hearing was closed.

Commissioners stated their concerns with the bricks that were installed. There are concerns that the City is not uniformly enforcing the regulations.

Commissioners would like to come to a solution. There are concerns that there is no money to fund this project.

Commissioners discussed the need to move forward and have a process so this will not happen again. There are concerns with the cost estimates provided. Commissioners would still like to clarify the definitions. Commissioners discussed that this was a seismic retrofit project.

It was noted that the building was evaluated by Carol Roland when it was painted. Since this met the Secretary of the Interior Standards, painting would allow the building to remain historic.

Staff clarified that this is not a restoration, but a rehabilitation. The bricks would not be allowed to be painted if this was a restoration.

It was noted that there are buildings that have had used brick that are designated as historic. There are major concerns with the City paying to replace the bricks. Painting is potentially the most logical solution at this point. The owner should pay the cost to paint the bricks. The City Attorney stated that she would have to look at the details to see if the property owner could be liable.

Commissioners questioned the possibility of getting an opinion from SHPO or Carol Roland.

Charlie Knox noted that there is no mark on the integrity of HPRC regarding this project. The City's goal is to provide good customer service.

On motion of Commissioner White, seconded by Commissioner Haughey, the Commission recommended the brick be painted to its previous color. The motion was withdrawn.

A request to fund the project in Strategic Plan process was made. Amend motion to require any additional changes be brought back to HPRC.

Chair Mang commented that it's possible that Carol Roland may agree that the brick is appropriate. Commissioners would like an expert opinion.

Commissioner Crompton noted that he will not be voting in favor of the motion because he believes that painting the brick white will be a worse solution. Commissioner Donaghue stated the same.

Commission directed staff to have this building evaluated by Carol Roland with this being brought back to the Commission.

Charlie Knox noted that all minor design review items will be brought before the Commission on the Consent Calendar.

B. 439 FIRST STREET – LUCCA BAR AND RESTAURANT DESIGN REVIEW FOR REQUIRED ADA IMPROVEMENTS AND MOVABLE PLANTER BOXES

09PLN-6 Design Review

439 First Street, APN: 89-174-030

PROPOSAL:

The applicant requests design review approval for required ADA access improvements on the front façade and the rear exit, as well as movable planters for the creation of an outdoor dining area along the West E Street frontage.

Recommendation: Approve a design review request for required ADA access improvements and movable planter boxes, for the proposed business located at 439 First Street, based on the findings, and subject to the conditions listed in the proposed resolution and as discussed during the public hearing.

Commissioner McKee noted that as the architect he had to recuse himself.

Commissioner Donaghue recused himself due to property ownership within 500' of the project.

Mike Marcus, Assistant Planner, gave an overview of the project. He noted that the applicant received Use Permit approval from the Planning Commission. The proposal before the Commission is for the ADA Ramp and landing, and movable planter boxes.

Commissioners commented on the space constraints at the site. There were questions regarding the aesthetics of the planter boxes. Commissioners questioned ABC requirements for alcohol service on the sidewalk.

Jan Lucca, Applicant – He noted that the project will meet all of the conditions of the sidewalk table permit. He further noted that ABC requires some sort of containment. He would like to use the planter boxes for containment.

Commissioners noted that any additional changes need to be reviewed.

The public hearing was opened.

Greg Davis, 123 West D Street – He noted that he and his wife are happy to see the project. He does not want to see amplified music outside. He is concerned with the door remaining open. He would like a permanent structural element on the sidewalk for safety purposes.

Sandra Shannonhouse, 110 East E Street – She stated her concerns with amplified music. It needs to be maintained as a mixed-use area. She is concerned with the alcohol permit service through 1 a.m. She would like to see First Street safer by ticketing drivers making illegal u-turns.

Jeffrey Liebowitz – He applauded the applicant for opening a new restaurant. The character of the downtown is important. There are solutions to the safety issues.

The public hearing was closed.

Mike Marcus acknowledged the comments made. Many of the issues raised are conditions of the Use Permit, which was approved by the Planning Commission.

Commissioners commented on the minor modifications being made and the respect for the integrity of the building.

Mike Marcus noted that the resolution specifies that the Historical Building Code was used to address issues surrounding the First Street façade and ADA compliance.

RESOLUTION NO. 09-5 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING AN ADA RAMP AND LANDING, AND MOVABLE SIDEWALK PLANTER BOXES AT A SITE LOCATED AT 439 FIRST STREET

On motion of Commissioner White, seconded by Commissioner Taagepera, the above Resolution was adopted by the following vote:

Ayes:	Commissioners Crompton, Haughey, Taagepera, White and Chair Mang
Noes:	None
Absent:	None
Abstain:	Commissioners Donaghue and McKee

A recess was called at 8:25 p.m. The meeting was reconvened at 8:32 p.m.

C. 127 FIRST STREET –THE TANNERY

09PLN-1 Design Review
127 First Street; APN: 89-244-050

PROPOSAL:

The applicant requests design review approval to replace existing galvanized metal siding with stucco and apply new paint (to match existing) on the south and west facing elevations of an existing building known as The Tannery.

Recommendation: Approve new siding and paint for the south and west facing elevations of an existing building located at 127 First Street, based on the findings and subject to the conditions listed in the proposed resolution.

Lisa Porras, Senior Planner, gave an overview of the project. An overview of the consistency with City regulations was given.

Commissioners questioned the piecemealing of the project. Lisa Porras noted that this is the final design as she is aware of, but there is no requirement that all changes be submitted at the same time. Staff conveyed this issue to the applicant. She noted that there is a Use Permit application for a restaurant and live music past 9 p.m.

Lisa Porras noted that the Bay Trail is regulated by BCDC. She noted that staff and the applicant are working with BCDC on this project.

The applicant noted that they did not intend to piecemeal the project and apologized for this issue. He does not believe there will be more substantive changes. They are working closely with BCDC for approval. If BCDC requires any modifications, those changes would be brought back to the Commission for approval.

Commissioners questioned the future use of the lot on the north side of the property. Currently, there are no plans to develop that property.

Lisa Porras noted that BCDC will advance the project to their design review committee . Any future plans submitted to the Historic Preservation Review Commission will include the requirements from BCDC. She noted that BCDC will require some access to the Bay Trail.

Commissioners questioned vehicle access in the rear of the property. Currently, this is used for commercial delivery purposes.

The public hearing was opened.

Bonnie Silveria – She commented on the gabion wall behind 221 First Street. The gabion wall has caused washout on the shoreline. BCDC is looking at this issue.

Jeffrey Liebowitz – He noted that the waterfront is a unique feature of the town. He is concerned with losing the character of the downtown and the historic context. The metal fabric of the building is appropriate.

Sandra Shannonhouse, 110 East E – She does not want to see stucco and believes it's inappropriate. She would like to see more metal siding. A sculpture by Robert Arneson was illegally removed.

The public hearing was closed.

The applicant noted that the Tannery is made up of 4 buildings that have been connected. Lisa Porras noted that there was an addition in the 1960's to the area on the north side of the building.

Lisa Porras noted that page 42 of the DHCP does not support metal siding.

Commissioners commented on the potential of the vacant lot on the north side. The applicant noted that the historical aspect of the building is not being changed.

Commissioners commented that they looked at the site. There are existing issues with the current siding that need to be addressed. The City should focus on the historical section of the building. There was a suggestion to put wood siding rather than stucco. Comments were made that this would be adding an additional element to the exterior. It was suggested to have the applicant expose some of the interior elements.

Lisa Porras noted that the stucco proposed is smooth.

The applicant noted that they intend to end the patio where the trash enclosed area begins.

RESOLUTION NO. 09-6 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING NEW SIDING AND PAINT FOR THE SOUTH AND WEST ELEVATIONS OF THE TANNERY BUILDING LOCATED AT 127 FIRST STREET

On motion of Commissioner White, seconded by Commissioner Taagepera, the above Resolution was adopted by the following vote:

Ayes:	Commissioners Crompton, Donaghue, McKee, Taagepera, White and Chair Mang
Noes:	Commissioner Haughey
Absent:	None
Abstain:	None

VII. COMMUNICATIONS FROM STAFF

Gina Eleccion noted that the Commission's Rules and Procedures will be coming forward for discussion.

VIII. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Taagepera clarified that there was a discrepancy on the qualified commissioners as CLG members.

Commissioner Taagepera requested agendaizing the following items:

1. Concerns with grading activity at the Camel Barn Museum
2. Non-historic design review for a property at 295 West H Street
Gina Eleccion noted that this particular issue was a mistake. Planning review is required of all properties in the historic district.
3. Master Fee Schedule & explanation of costs and review
4. Historic Survey completion schedule

Commissioner Haughey requested a copy of the city-owned properties resolution. The Commission would like to know why the Commandant's was not brought to the Commission. Commissioner Haughey requested a copy of the window policy.

Commissioner White commented on the piecemealing of the Tannery project. He would like to encourage Commissioner McKee to assist in the design of the Tannery.

Chair Mang noted that he will be attending the March 17th meeting regarding the historic survey.

IX. ADJOURNMENT

Chair Mang adjourned the meeting at 10:00 p.m.

AGENDA ITEM
HISTORIC PRESERVATION REVIEW COMMISSION: MARCH 26, 2009
REGULAR AGENDA ITEMS

DATE : March 18, 2009

TO : Historic Preservation Review Commission

FROM : Lisa Porras, Senior Planner

SUBJECT : **250 WEST H STREET - 999 SQUARE FOOT ADDITION TO EXISTING SINGLE FAMILY DETACHED DWELLING UNIT**

PROJECT : 09PLN-05
250 West H Street
APN: 089-111-040

RECOMMENDATION:

Approve a 999 square foot addition to the property at 250 West H Street, based on the findings and subject to the conditions listed in the proposed resolution.

EXECUTIVE SUMMARY:

The applicant requests design review approval to expand an existing residential building from 2,318 to 3,317 square feet. The applicant proposes to construct an additional 999 square feet at the rear of the building in order to: (1) enlarge the basement; (2) add a new bedroom, bathroom, and sitting room on the first floor, (3) add a bathroom, recreation room and office to the second story.

This project is located within the Downtown Historic District and listed as a Contributing Building, thereby subject to the Downtown Historic Conservation Plan (DHCP) guidelines for Historic Buildings for residential building types as listed on pages 61 through 63 of the DHCP.

BUDGET INFORMATION:

Project approval would not result in any impacts to the City budget.

ENVIRONMENTAL ANALYSIS:

This project is Categorically Exempt under both Sections 15301 and 15331 of the State CEQA Guidelines, which applies to existing facilities and historic resources respectively.

BACKGROUND:

Applicant/Owner:	Steven McKee / Steve Woodruff
General Plan designation/Zoning:	Residential Low Density / Single Family Residential
Existing use:	2,318 square foot residence
Proposed use:	same, but expanded to 3,317 square feet
Adjacent zoning and uses:	
North:	Single Family (RS), residential
East:	Single Family (RS), residential
South:	Single Family (RS), residential
West:	Single Family (RS); residential

SUMMARY:

Project Description

Location

The project site is located on the south side of West H Street as shown in Figure 1 below.

Figure 1

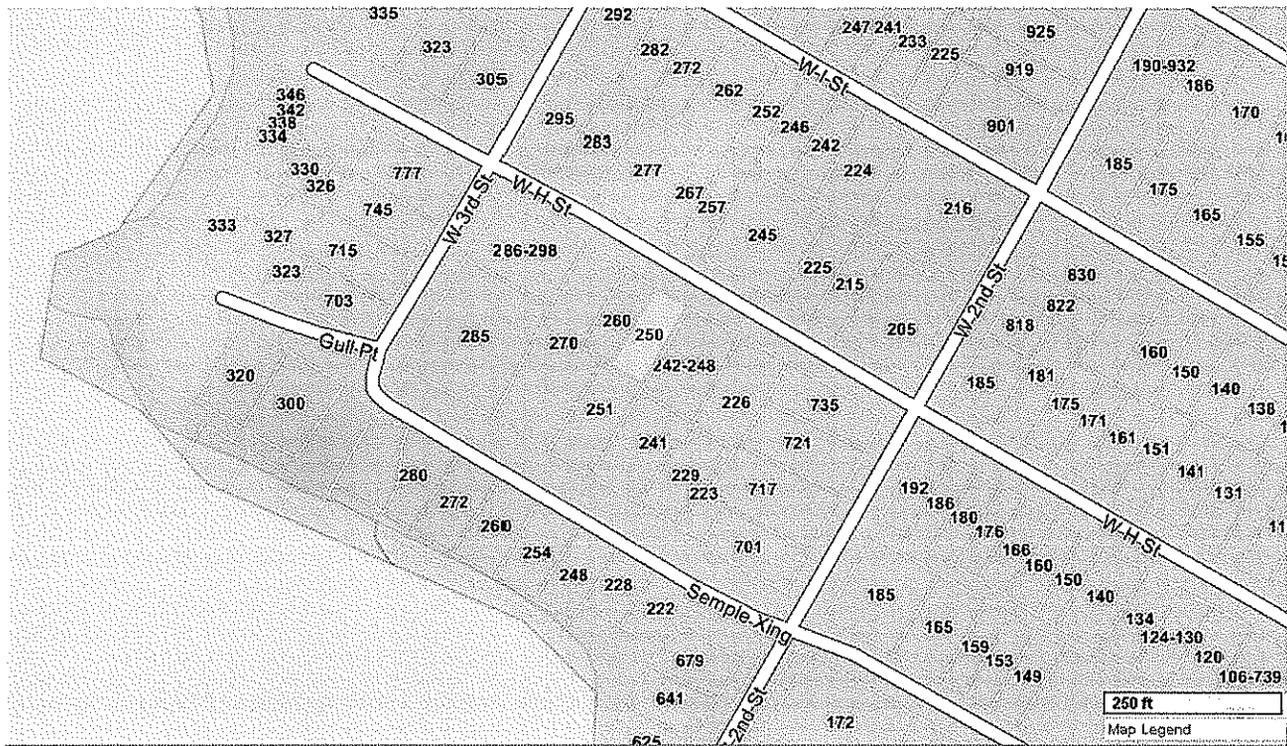


Figure 2 below shows a bird's eye view of the existing structure, which is shown facing north.

Figure 2. Site Air Photo



Existing Conditions

This residential lot is 6,250 square feet, and is relatively flat with a gradual slope downward of about 3.5 feet towards the rear of the property. Single-family residential detached housing types border the site on all sides. The primary façade fronts north onto West H Street.

Proposed Project – Purpose, Disposition, and Scale

As stated previously, the purpose of the addition is to add 999 square feet at the rear of the building in order to: (1) enlarge the basement; (2) add a new bedroom, bathroom, and sitting room on the first floor, (3) add a bathroom, recreation room and office to the second story.

The proposed expansion is located at the south end of the existing building, and extends portions of the rear of the building by: 14 feet –basement; 9.5 feet – first story; and 18 feet – second story.

The overall height of the addition will reach 29 feet 4 inches, which is lower than the height of the existing building at 31 feet. The remodeled residence will remain a three-story building, which is seen as two-story from West H Street, and three-story from the rear. The width of the addition is approximately 25 feet wide, which is less than the width of the existing building

(approx. 34 feet). Specifically, the addition is pulled in 3.5 feet on the east side of the building and 5 feet in from the west side of the building.

With an addition of 999 square feet, total lot coverage would increase to 36% and still adhere to the maximum 40% lot coverage requirement for the RS zone.

The roof ridgeline of the proposed addition is 18.5 feet long, and consists of a gabled roof pitch, and is 1.5 feet shorter than the existing roof ridgeline.

Proposed Project – Architectural Details of Each Façade

North Elevation (Primary Façade)

Changes to existing façade include:

- a. Remove damaged chimney.
- b. Patch missing portion of barge rafter trim with materials to match existing.
- c. Replace missing dentil trim at 5 locations, with materials to match existing.
- d. Add new arched window in attic area; proposed window manufactured by Marvin.
- e. Repair or replace 4 existing wood windows on the first floor with new painted wood double-hung windows manufactured by Marvin.

West Elevation

Modifications to existing elevation include:

- a. Installation of new Velux Venting Skylight with low profile brown frame
- b. Repair or replace 4 existing wood windows on the first floor with new painted wood double-hung windows manufactured by Marvin.

Details of the new addition include:

- a. Basement addition: 1 x 8 vertical V-Rustic Radiata Pine siding with 1 x 4 wood trim at corners of addition, and new double-hung window manufactured by Marvin.
- b. First story addition: new horizontal wood siding channel rustic with 8' 5/8" lap (existing siding is 8' 1/4" lap), new painted wood window manufactured by Marvin – and with painted wood trim (no ornamentation at bottom to differentiate from existing), new patio with wood railing, new 6 inch diameter turned wood post by Pagliacco, “PP23”, 2 x 8 horizontal wood trim at base to define basement from 1st story
- c. Second (or 3rd) story addition: new composition shingle roof using GAF ELK Timberline Prestique in “Slate”
- d. New light fixture by Rejuvenation, “Cascadia” model, placed in new covered patio area.

East Elevation

Modifications to existing elevation include:

- a. Install new Velux Skylight with low profile brown frame.
- b. Repair or replace 8 existing wood windows with new painted wood windows manufactured by Marvin.
- c. Repair bead board siding at damaged areas.
- d. Install new exterior light by Rejuvenation, "Cascadia" model at basement entryway.

Details of the new addition include:

- a. Basement addition: 1 x 8 vertical V-rustic Radiata Pine siding; one fiberglass door manufactured by Masonite, "Belleville Smooth", to match existing basement door located at same elevation; one double-hung window manufactured by Marvin; and a 6 x 6 post to delineate the outdoor patio.
- b. First story addition: horizontal wood siding channel rustic with 8' 5/8" lap, one double-hung window manufactured by Marvin.
- c. Second (or 3rd) story addition: new composition shingle roof, GAF Elk Timberline Prestique in "Slate"; wood railing for new outdoor patio; and skylight by Velux.

South Elevation (Rear Façade)

Modifications to the existing elevation include:

- a. Replace dead board siding at damaged areas
- b. Replace existing wood window on first (2nd) story with double-hung window manufactured by Marvin.

Details of the addition include:

- a. Basement addition: 1 x 8 vertical V-Rustic Radiata Pine siding, series of three painted wood double-hung windows by Marvin or equal, and a single octagon shaped window, also manufactured by Marvin.
- b. First story addition: horizontal wood siding channel rustic with 8' 5/8" lap; and two windows (by Marvin), and one set of inswing French doors manufactured by Marvin.
- c. Second (or 3rd) story addition: two sets of inswing French doors (also by Marvin); painted redwood louvered gable end vent; wood shingle siding (shaker town straight edge craftsman panels); wood railings for outdoor patio; and horizontal wood siding channel rustic with 8' 5/8" lap, and two exterior lights by Rejuvenation, "Cascadia" model in the outdoor patio area.

Building Color

The entire building, existing plus addition, will be painted. Proposed paint colors, to be displayed at public hearing, include:

- a. Body color: Kelly Moore “Manzanita Leaf” (KM3883-1 satin) – e.g. very pale green
- b. Corbel: Kelly Moore “Colfax Pine” (KM3886-3 satin) – e.g. khaki
- c. Porch band color: Kelly Moore “Dolphin Dance” (KM3788-1 satin) – e.g. pale steel blue
- d. Body trim color: (windows, corners) Kelly Moore “Almond Sugar” (OW241-1 semi-gloss) – e.g. off white
- e. Skirt color: Kelly Moore “Luberon” (KM4165-2 satin) – e.g. pale brownish pink
- f. Window sash, Doors, Porch Corbel: Kelly Moore “Rave Raisin” (KM4166-1 semi-gloss) – e.g. brownish pink
- g. Concrete front steps: Kelly Moore “Maddy’s Mood” (KM3789-2 satin) – e.g. light steel blue

Project Analysis

The following section evaluates project consistency with applicable city goals, policies, and regulations. Staff’s analysis is shown in *italics*.

General Plan Consistency

One of the city’s policies is to “ensure that new development is compatible with adjacent existing development and does not detract from Benicia’s small town qualities and historic heritage” (Policy 2.1.1). Policy 3.1.5 permits new development, remodeling, and building renovation in the historic districts when consistent with the policies of the applicable Historic Conservation Plan.

The proposed addition would occur on a contributing building located within Downtown Historic District and subject to the Downtown Historic Conservation Plan (DHCP). Because the proposed addition is consistent with applicable guidelines of the DCHP (see staff’s analysis beginning on page 7 of this report), the project is consistent with General Plan Policy 3.1.5 and 2.1.1.

Zoning Ordinance Consistency (Benicia Municipal Code, Title 17)

This project meets all of the applicable development regulations as outlined for the RS zone under BMC 17.24.030 shown in Table 3 below.

Table 3. Development Standards for the RS Zone

DEVELOPMENT REGULATIONS	BMC 17.24.030	PROPOSED ADDITION
Min. Lot Area (sq. ft.)	6,000	6,250
Min. Lot Width (ft.)	60	50 (pre-existing)
Min. Front Yard (ft.)	20	22.5
Min. Side Yard (ft.)	5	16 feet 2 inches (east) 8 feet 7 inches (west)
Minimum Rear Yard (ft.)	15	38 feet 2 inches
Maximum Height (ft.)	30	29 feet 4 inches (addition) 31 feet (existing)
Maximum Lot Coverage	40%	36%

DEVELOPMENT REGULATIONS	BMC 17.24.030	PROPOSED ADDITION
Minimum Site Landscaping	35%	<ul style="list-style-type: none"> ▪ 2,187.5 sq. ft. required (35%) ▪ 2,665 sq. ft. existing (43%) ▪ 2440 sq. ft. after addition (39%)

Downtown Historic Conservation Plan

This project is located within the Downtown Historic District and listed as a Contributing Building, thereby subject to the Downtown Historic Conservation Plan (DHCP) guidelines for Historic Buildings for residential building types as listed on pages 61 through 63 of the DHCP. Applicable guidelines are listed below, with staff analysis shown in *italics*.

1. Policy 1: Design Integrity: Maintain the design integrity and distinguishing features of historic buildings.
 - a. 1.1: Additions or alterations which alter the height, bulk, principal façade elements, distinguishing architectural features or overall architectural character of a landmark building when viewed from the street are in appropriate.
 - i. *The building is listed as a “Contributor” to the Downtown Historic District, and though not a landmark, the addition and alteration is consistent with this guideline. The configuration and location of the addition, specifically its reduced height and width, cannot be seen from the H Street right-of-way. The new arched window, though not part of the original façade, would not change the building in such a way that would significantly alter its historic integrity, and further, would allow the building to be brought back to its original appearance should it be desired. For these reasons, the proposed addition and alteration of the principal façade are consistent with this guideline.*
 - b. 1.2: Building additions should be located to the rear of the structure whenever possible.
 - i. *Proposed project is located at the rear of the structure.*
 - c. 1.3: Not Applicable
 - d. 1.4: Second floor additions which do not significantly alter roof forms are appropriate except where they will alter the principal façade of character of a landmark building.
 - i. *Additions to the basement, first, and second stories together do not alter the principal façade, and further, the proposed gabled roof is consistent with the existing gabled roof thereby not altering the existing roof form.*
 - e. 1.5: Additions to existing building should employ the same materials and opening proportions as the original. It is not necessary or even desirable to make

the addition look identical, especially if original workmanship or details cannot be matched.

i. Building materials for the addition are similar. However, in order to differentiate new from old, the height and width of the addition has been reduced and stands subordinate to original building; also, while the addition exhibits similar siding as the original (both vertical and horizontal) the dimensions are not exact.

f. 1.6: Not Applicable

g. 1.7: Not Applicable

h. 1.8: New window openings should be limited and consistent with the original design intent. New entries/door openings should be avoided altogether on street facades, but may be located around the corner of the building. The architectural style, details, and original materials of the building should be carried throughout.

i. Only one new window is proposed for the principal façade, while other windows are designated for repair or replacement. A new door opening is located on the east elevation, which is not seen from the street. The overall style and details of the original building are presented in the addition. Altogether, these alterations meet the intent of this guideline.

i. 1.9: Not Applicable

2. Policy 2: Façade Elements and Details: Retain the traditional façade elements, proportions and architectural details which give historic building their special character and use appropriate replacements where necessary.

a. 2.1: Architectural elements such as porches, steps and railings should not be removed. Replacements, where required, should be similar in character to the original.

i. No architectural elements will be removed. Instead one remaining dentil trim at roofline will be replicated 5 times and fixed onto the roofline as original.

b. 2.2: Maintain the proportions of existing door and window openings and the pattern of existing window sash in replacement work or additions.

i. Window and door proportions presented on the addition are similar to the window and door proportion found on the original building.

c. 2.3: New or replacement window sash should match the original sash in thickness, depth, pattern and finish.

i. Windows marked for repair or replacement, are manufactured by Marvin, which exhibits similar features as original.

3. Policy 3: Integrity of Materials: Maintain the integrity of original building materials.

- a. 3.1: Original siding should not be replaced, covered over or clad with another material such as stucco, wood or composition shingles, aluminum siding, and the like.
 - i. *No siding will be replaced or covered over with stucco, shingles, or aluminum siding.*
 - b. 3.2: Not applicable.
 - c. 3.3: Not applicable.
 - d. 3.4: When necessary to re-roof, the original or a similar material, generally composition shingles, should be used.
 - i. *The roof of the addition will use GAF Elk Timberline Prestique in "Slate" composition shingles to match existing roof.*
 - e. 3.5: Integrally colored materials such as brick or stone and stained wood (shingles, rafters, trim) should not be painted over.
 - i. *No brick or stone will be painted over. However, the concrete steps that lead to the primary entrance will be painted.*
 - f. 3.6: Not applicable.
4. Policy 4: Appropriate Materials, Colors, and Finishes: Promote the use of appropriate materials in restorations, renovations and additions to historic building and colors which complement their styles and particular combination of building materials.
- a. Use original materials wherever possible in restoration, renovation or repair work and use the same materials for building additions.
 - i. *Materials for window repair or replacement will match existing, and materials for the addition, such as siding, trim, railing, are similar to materials used on original building.*
 - b. When necessary to use a substitute material, take care that its outward appearance, durability, texture and finish will be as close as possible to that of the original. If the original material was painted, be sure that the substitute will accept and retain the same painted finish.
 - i. *Replacement windows are by Marvin. Windows exhibit similar features to original windows. Window sash will be painted.*
 - c. Wood window sash is preferred for historic buildings. Vinyl clad wood or factory finished (i.e. baked on enamel) aluminum frames may be acceptable as long as the original design can be duplicated.
 - i. *Marvin Ultimate Insert Double Hung Windows are bare wood interior, with argon insulating glass 3 1/4" and all wood exterior (wood only). The*

Wood Ultimate Insert Double Hung was designed to meet historic design criteria according to the manufacturer.

- d. Paint colors and color schemes should be appropriate to the style and design intent of the building. E.g. Queen Anne should be polychrome: white, light pastel or earth-toned base color; one to three compatible trim colors.
 - i. *The primary color of the building, including addition, will be a very pale green offset by a base color of light brown-pink. Three trim colors are proposed: Khaki green for brackets, pale blue-gray for porch bands, and dark brown pink for window sashes and primary door. Overall the pale color scheme, which exhibits earth tones, is compatible with this guideline.*

Secretary of the Interior Standards for Rehabilitation and Reconstruction

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Secretary of the Interior provides ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs. The Standards for Rehabilitation are described below, with staff analysis shown in *italics*.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

No change in use proposed.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

No significant changes will alter the historic integrity of this structure. In fact, with new paint, "unusual details", as called out in the adopted DPR 523 form (adopted by Council on March 17, 2009), can further stand out. The new arched window proposed for the attic and located on the primary façade will not drastically alter the character defining features of this Queen Anne cottage.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

No conjectural features or architectural elements will be added. Instead, only the lost dentil trim, of which there is only one left, will be replicated and replaced where missing.

4. Most properties change over time; those changes that have acquired historic significant in their own right shall be retained and preserved.

All architectural details will be retained.

5. Distinctive features, finished, construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

The distinctive features such as brackets, brackets with drop newels, and the circular pattern of the frieze are not proposed for changes and will be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration required replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

Windows will either be repaired or replaced with a similar wood window by Marvin. Replacement of the missing dentil trim will be replicated based on the one existing piece presently located on the edge of the roof.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used.

Not applicable.

8. Significant archaeological resources affected by a project shall be protected and preserved.

Not applicable.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The addition will not destroy the original size, scale, mass, appearance and all the details exhibited on the original building. The addition is differentiated from existing in scale, and in slightly different dimensions in siding. Overall, new work will not detract from historic integrity of building.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

If removed in the future, the addition would not destroy the integrity of the property or the original structure.

Design Review

Design review is intended to implement General Plan policies. Benicia Municipal Code Section 17.108.010 (outlined below) provides purposes of design review. Staff's analysis, in *italics*, follows.

1. Ensure that the location and configuration of proposed structures are visually harmonious with their site and with surrounding sites and structures, and do not unnecessarily block scenic views from other buildings or public parks or dominate their surroundings to an extent inappropriate to their use.

The location of the expanded building is located in the rear yard, thus not seen from the West H Street right-of-way. Because the addition presents reductions in width and in height from the existing structure, it does not dominate its surroundings.

2. Ensure that the architectural design of the structures, their materials and colors are visually harmonious with surrounding development and with the natural landforms and vegetation of the areas in which they are proposed to be located.

The overall design, materials, and color are compatible with both existing and surrounding development.

3. Ensure that the plans for the landscaping for open space conform with the requirements of this title and they provide visually pleasing setting for structures on the site and on adjoining and nearby sites and blend harmoniously with the natural landscape.

Overall landscape design will not change. Only removal of a portion of landscaping in the rear will occur as a result of new construction. The total landscape area post construction (which will be reduced from 43% to 39%) adheres to the 35% minimum landscape requirement for on site landscaping pursuant to section 17.17.190 of the Benicia Code.

4. Ensure the provision of adequate, safe and efficient parking and circulation areas, which conform to the requirements of this title.

The proposed addition does not affect existing parking and access to the site.

5. Provide a functional, efficient, and attractive site design which is sensitive to existing uses in the area and to the topography and conditions of the site.

The addition maintains the overall site design of the property.

Conclusion

Staff recommends that the Historic Preservation Review Commission approve Design Review for the proposed building addition (09PLN-5) based on the findings and subject to the conditions of approval as stated in the draft resolution.

FURTHER ACTION:

The Historic Preservation Review Commission action will be final unless appealed to the Planning Commission within ten (10) business days.

Attachments:

- Draft Resolution
- Project Plans **
- Photographs **
- Proposed Building Materials (windows, doors, light fixtures, skylight, paint, roof material)

*** If viewing online, these attachments are available to view in the Community Development Department or in the Benicia Public Library in the March 26, 2009 Planning Commission packet.*

DRAFT RESOLUTION

RESOLUTION NO. 09-__

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION
OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR A 999 SQUARE
FOOT ADDITION TO AN EXISTING SINGLE-FAMILY BUILDING LOCATED AT
250 WEST H STREET**

WHEREAS, Steven McKee on behalf of Steve Woodruff has requested Design Review approval for the expansion of an existing single-family building located at 250 West H Street; and

WHEREAS, the Historic Preservation Review Commission at a regular meeting on March 26, 2009, conducted a public hearing and reviewed the proposed project;

NOW, THEREFORE, BE IT RESOLVED THAT the Historic Preservation Review Commission of the City of Benicia hereby approves design review for the addition to 250 West H Street; and

BE IT FURTHER RESOLVED THAT the Historic Preservation Review Commission finds that:

1. The location and configuration of proposed structures are visually harmonious with their site and with surrounding sites and structures, and do not unnecessarily block scenic views from other buildings or public parks or dominate their surroundings to an extent inappropriate to their use.

The location of the expanded building is located in the rear yard, thus not seen from the West H Street right-of-way. Because the addition presents reductions in width and in height from the existing structure, it does not dominate its surroundings.

2. The architectural design of the structures, their materials and colors are visually harmonious with surrounding development and with the natural landforms and vegetation of the areas in which they are proposed to be located.

The overall design, materials, and color are compatible with both existing and surrounding development.

3. The plans for the landscaping for open space conform with the requirements of this title and they provide visually pleasing setting for structures on the site and on adjoining and nearby sites and blend harmoniously with the natural landscape.

Overall landscape design will not change. Only removal of a portion of landscaping in the rear will occur as a result of new construction. The total landscape area post construction (which will be reduced from 43% to 39%) adheres to the 35% minimum landscape requirement for on site landscaping pursuant to section 17.17.190 of the Benicia Code.

4. There is adequate, safe and efficient parking and circulation areas, which conform to the requirements of this title.

The proposed addition does not affect existing parking and access to the site.

5. The plans include a functional, efficient, and attractive site design which is sensitive to existing uses in the area and to the topography and conditions of the site.

The addition maintains the overall site design of the property.

BE IT FURTHER RESOLVED THAT the Historic Preservation Review Commission hereby approves the proposed project subject to the following conditions:

1. The proposed addition, for which this permit was applied, shall substantially comply with the plans and accompanying documents submitted by Steven McKee Architect and received by the Community Development Department, consisting of sheets 1 through 5 date stamped February 24, 2009, and sheets 5 and 6 date stamped March 5, 2009 marked "Exhibit A", and on file with the Community Development Department, subject to the following conditions.
2. This approval shall be effective upon the close of the appeal period. This approval shall expire two years from the date of approval, unless: a building permit has been issued and construction diligently pursued; an occupancy permit has been issued; or the approval is renewed prior to expiration.
3. Any change from the approved plans, including substitution of materials, shall be requested in writing and reviewed by the Community Development Director, or designee, prior to changes being made in the field.
4. This project shall adhere to all applicable ordinances, plans, and specifications of the City of Benicia.
5. The applicant shall ensure that all proposed improvements comply with all provisions of City of Benicia Stormwater Management and Discharge Control Ordinance. The applicant shall use Best Management Practices (BMPs) to prevent sediments or pollutants from entering the storm drain system or watercourses. The impact of the proposed improvements on the public storm drain system and watercourses shall be mitigated to the maximum extent practicable. Maintenance responsibility of Post Construction BMPs is the responsibility of the property owner and a signed Operation and Maintenance agreement must be submitted to the City.
6. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, Community

Development Director, or any other department, committee, or agency of the City concerning a development, variance, permit or land use approval which action is brought within the time period provided for in any applicable statute; provided, however, that the applicant's or permittee's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the applicant or permittee of any said claim, action, or proceeding and the City's full cooperation in the applicant's or permittee's defense of said claims, actions, or proceedings.

* * * * *

On motion of _____, seconded by _____, the above Resolution was adopted by the Historic Preservation Review Commission of the City of Benicia at a regular meeting of said Commission held on March 26, 2009 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

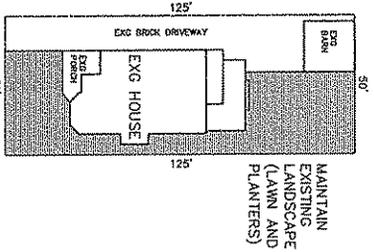
Chuck Mang
Historic Preservation Review Commission Chair

PROJECT PLANS

*(If viewing online, this attachment is available to view in the Community
Development Department or in the Benicia Public Library in the March 26, 2009
Historic Preservation Review Commission packet)*

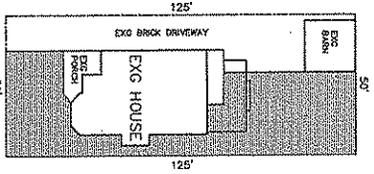
**LANDSCAPE DIAGRAM
(PROPOSED)** 1" = 20'

2440 S.F. landscaped area (after addition)
39% of total lot



**LANDSCAPE DIAGRAM
(EXISTING)** 1" = 20'

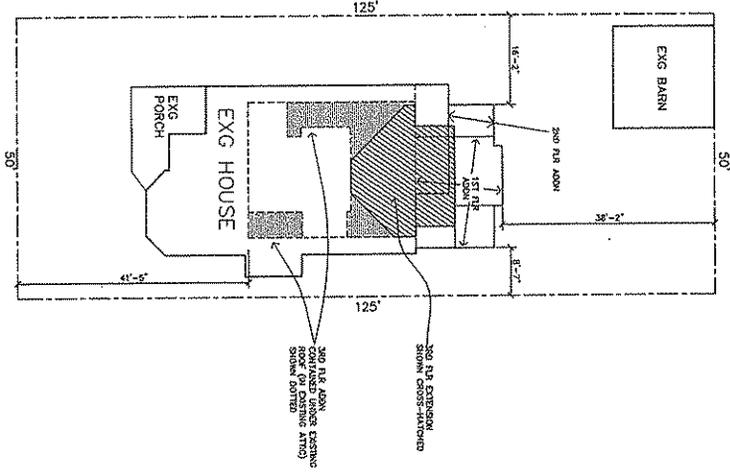
2665 S.F. landscaped area (existing)
43% of total lot



landscape area shown shaded

SITE PLAN
1" = 10'

WEST "H" STREET



PROJECT INFO

PROJECT DESCRIPTION:
THREE STORY ADDITION TO REAR OF THREE STORY HOUSE
OCCUPANCY GROUP R-3
CONST. TYPE 1 - NO FR (NON-SPRINKLERED)

HOUSE SIZE 300 sq. ft.	EXISTING	ADDITION
EXISTING	1474 S.F.	224 S.F.
ADDITION	340 S.F.	503 S.F.
TOTAL ADDITION		898 S.F.

LOT COVERAGE:

HOUSE	FRONT PORCH	GARAGE/BARN	TOTAL
1750 S.F.	170 S.F.	338 S.F.	2258 S.F.
LOT SIZE = 35% COVERAGE			6,250 S.F.

INDEX OF DRAWINGS

NO.	DESCRIPTION	NOTES
1	SITE PLAN	
2	FLOOR PLANS	
3	ELEVATIONS	
4	SECTIONS	
5	ELEVATIONS	
6	EXISTING ELEVATIONS	

WOODRUFF ADDITION

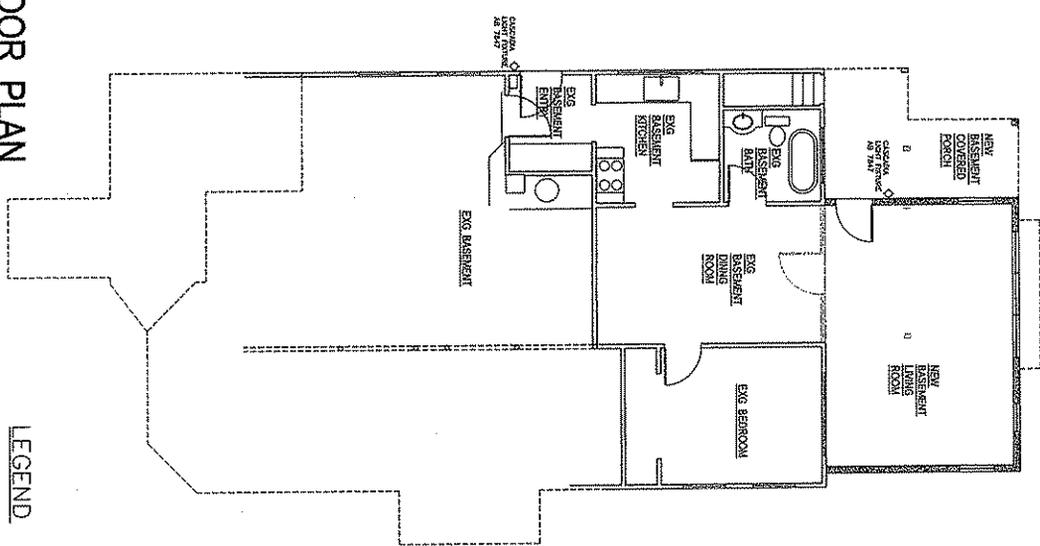
Sheet: **1** OF 6
SITE PLAN NOTES

ADDITION & REMODEL
WOODRUFF RESIDENCE
250 WEST "H" STREET
BENICIA CA

Revisions:
Date: 2/24/09
Drawn By: SM

Steven McKee - Architect
975 West K Street
Benicia CA 94510
(707) 746-6788
(707) 746-6767 fax
www.smackee.com

BASEMENT FLOOR PLAN
1/4"



LEGEND

- NEW WALL 2X6 AT 16" O.C.
- (8"-19 BATT INSUL AT EXT WALLS)
- NEW WALL 2X4 AT 16" O.C. WALLS
- (R-13 BATT INSUL AT EXT WALLS)
- EXIST. WALL
- REMOVE WALL

Sheet: **2** OF 6
BASEMENT FLOOR PLAN

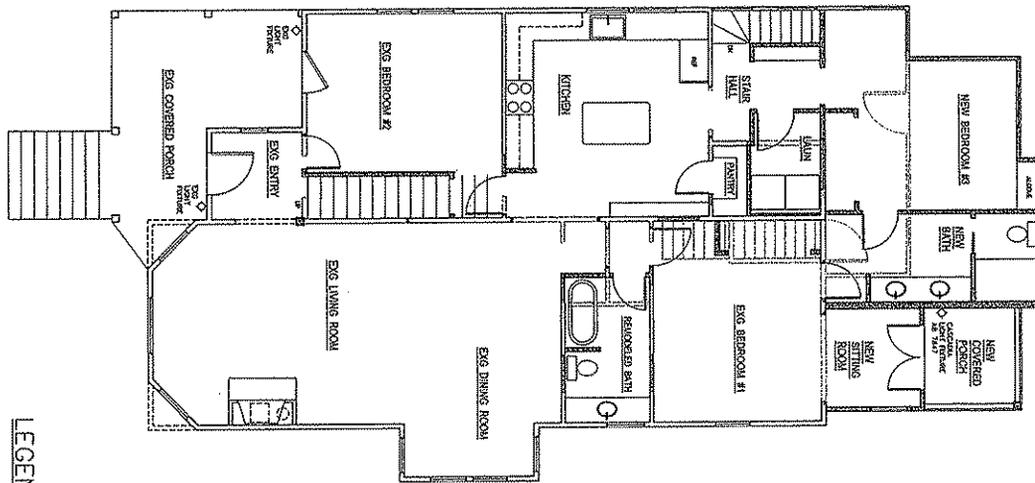
ADDITION & REMODEL
WOODRUFF RESIDENCE
250 WEST "H" STREET
BENICIA CA

Revisions:
Date: 2/24/09
Drawn By: SM

Steven McKee - Architect

 975 West K Street (707) 746-6788
 Benicia CA 94510 (707) 746-6767 fax
 www.smkca.com

1ST FLOOR PLAN
1/4"



LEGEND

- NEW WALL 2X6 AT 16" O.C. WALLS
- (6-19 BATT INSUL AT EXT WALLS)
- NEW WALL 2X4 AT 16" O.C.
- (6-13 BATT INSUL AT EXT WALLS)
- EXG WALL
- REMOVE WALL

Sheet: **3** OF 6
1ST FLOOR PLAN

ADDITION & REMODEL
WOODRUFF RESIDENCE
250 WEST "H" STREET
BENICIA CA

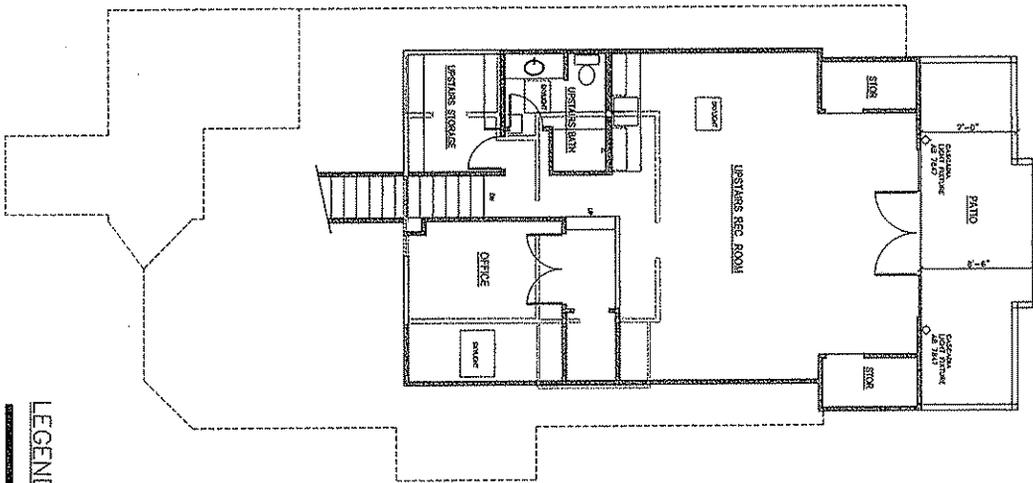
Revisions:
Date: 2/24/09
Drawn By: SM

Steven McKee - Architect



975 West K Street (707) 746-6788
Benicia CA 94510 (707) 746-6767 fax
www.smbk.com

2ND FLOOR PLAN



LEGEND

- NEW WALL 2X6 AT 16" O.C.
- (R)-19 BATT INSUL. AT EXT WALLS
- NEW WALL 2X4 AT 16" O.C.
- (R)-13 BATT INSUL. AT EXT WALLS
- ENG WALL
- REMOVE WALL

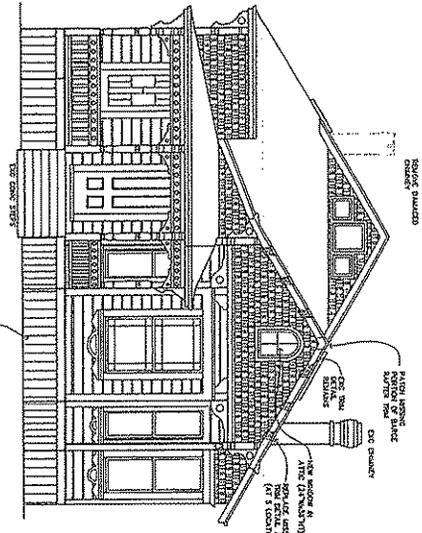
Sheet **4** OF 6
2ND FLOOR PLAN

ADDITION & REMODEL
WOODRUFF RESIDENCE
 250 WEST "H" STREET
 BENICIA CA.

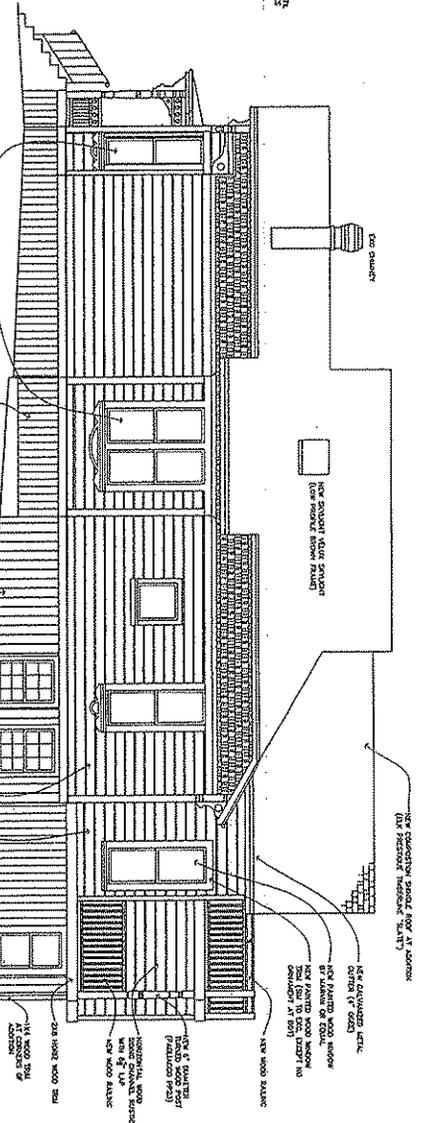
Revisions:
 Date: 2/24/09
 Drawn By: SM

Steven McKee - Architect

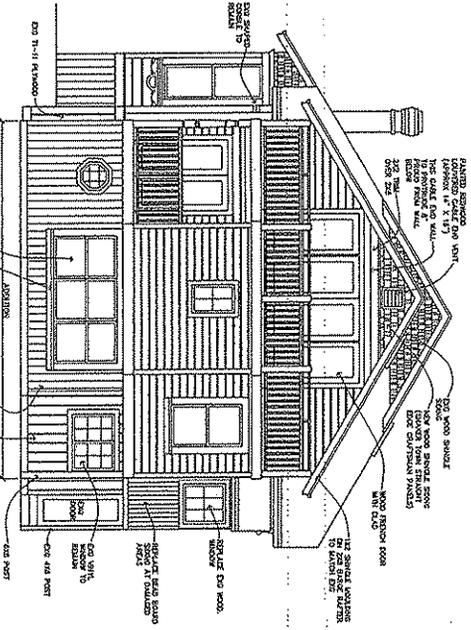
975 West K Street
 Benicia CA 94510
 (707) 746-6788
 (707) 746-6767 fax
www.smkoe.com



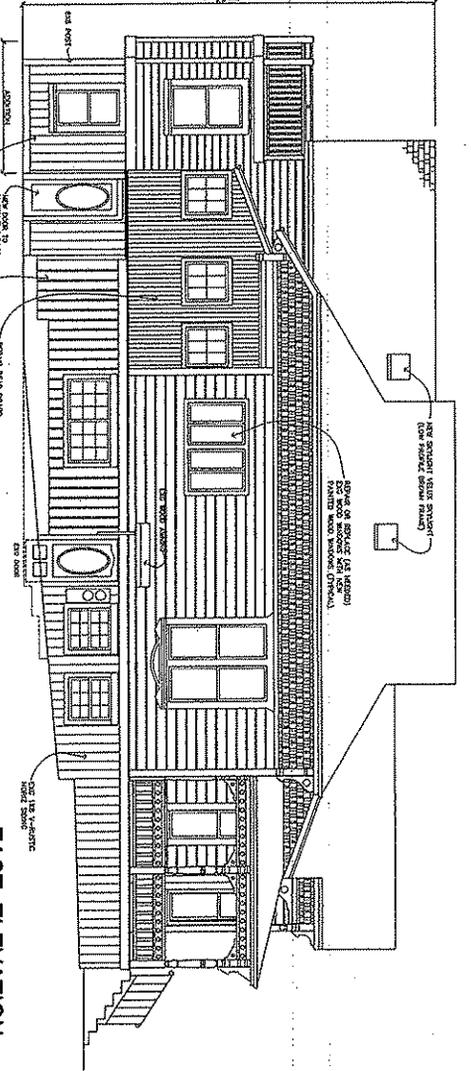
NORTH ELEVATION
FRONT
1/4"



WEST ELEVATION
1/4"



SOUTH ELEVATION
1/4"

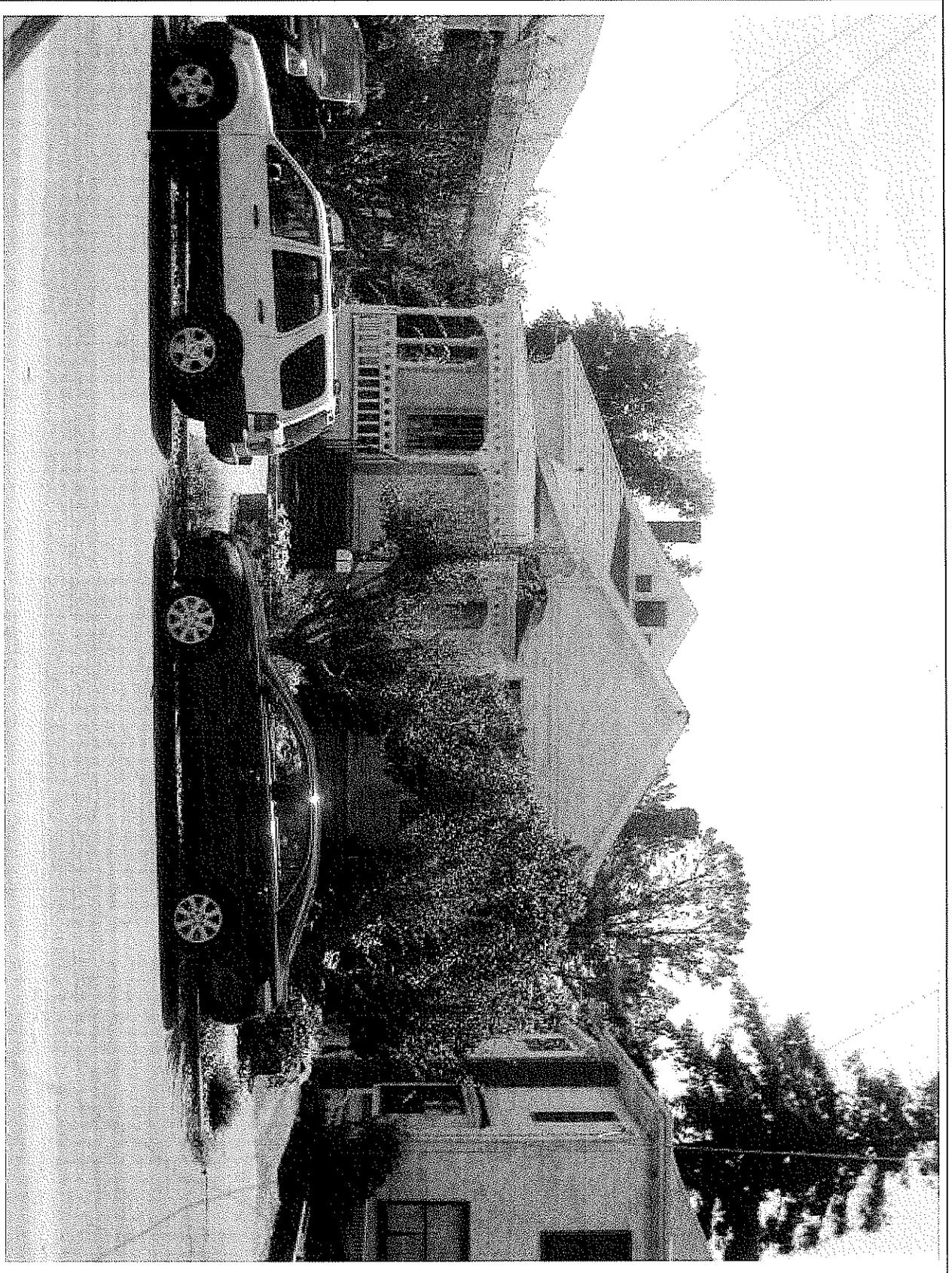


EAST ELEVATION
1/4"

Sheet: 5 OF 6	ADDITION & REMODEL WOODRUFF RESIDENCE	Revisions: 3/4/09	Steven McKee - Architect  975 West K Street Benicia CA 94510 (707) 746-6788 (707) 746-6767 fax <small>www.jmda.com</small>
ELEVATIONS	250 WEST "H" STREET BENICIA CA	Date: 2/24/09 Drawn By: SM	

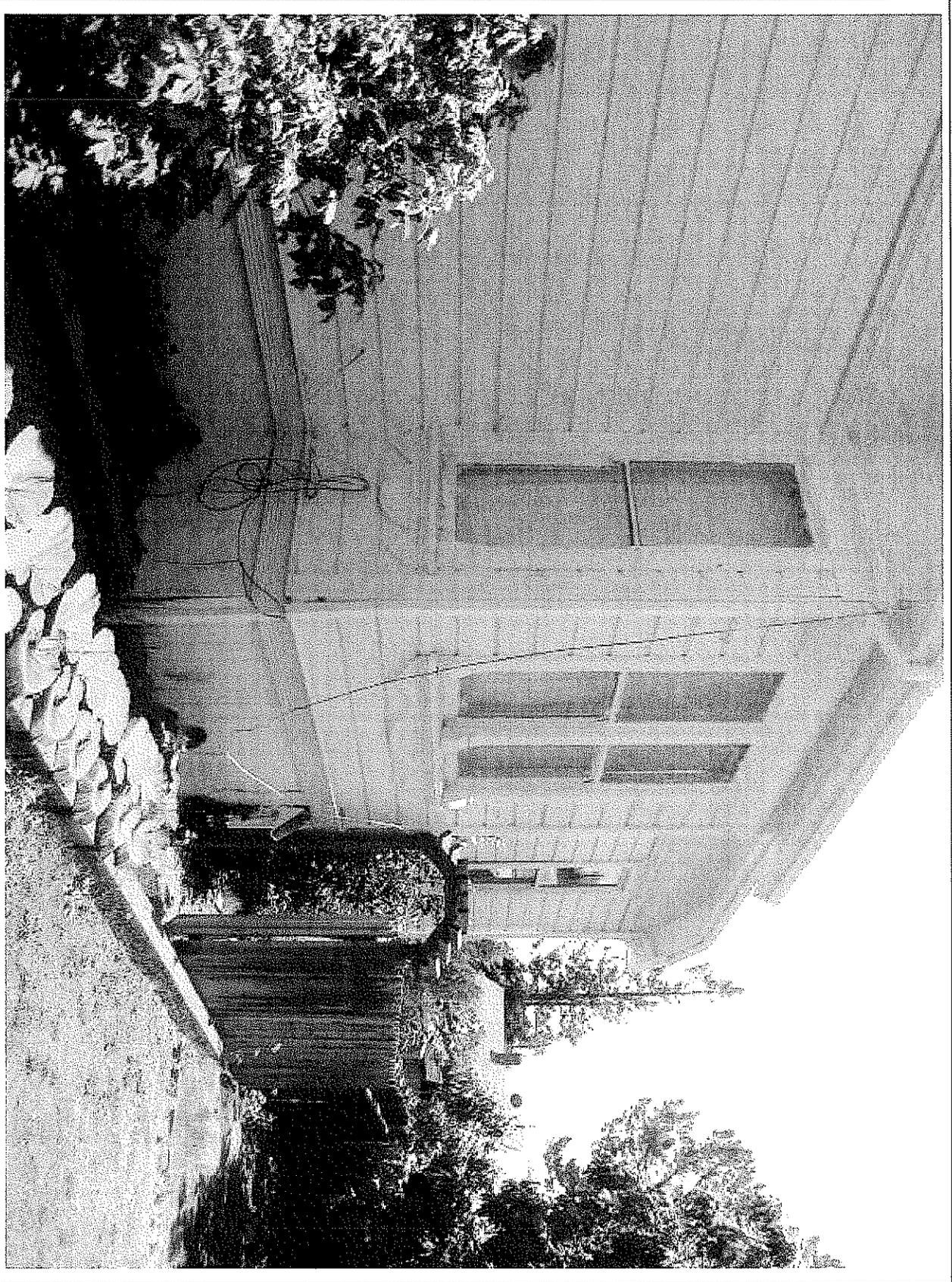
PHOTOGRAPHS

*(If viewing online, this attachment is available to view in the Community
Development Department or in the Benicia Public Library in the March 26, 2009
Historic Preservation Review Commission packet)*

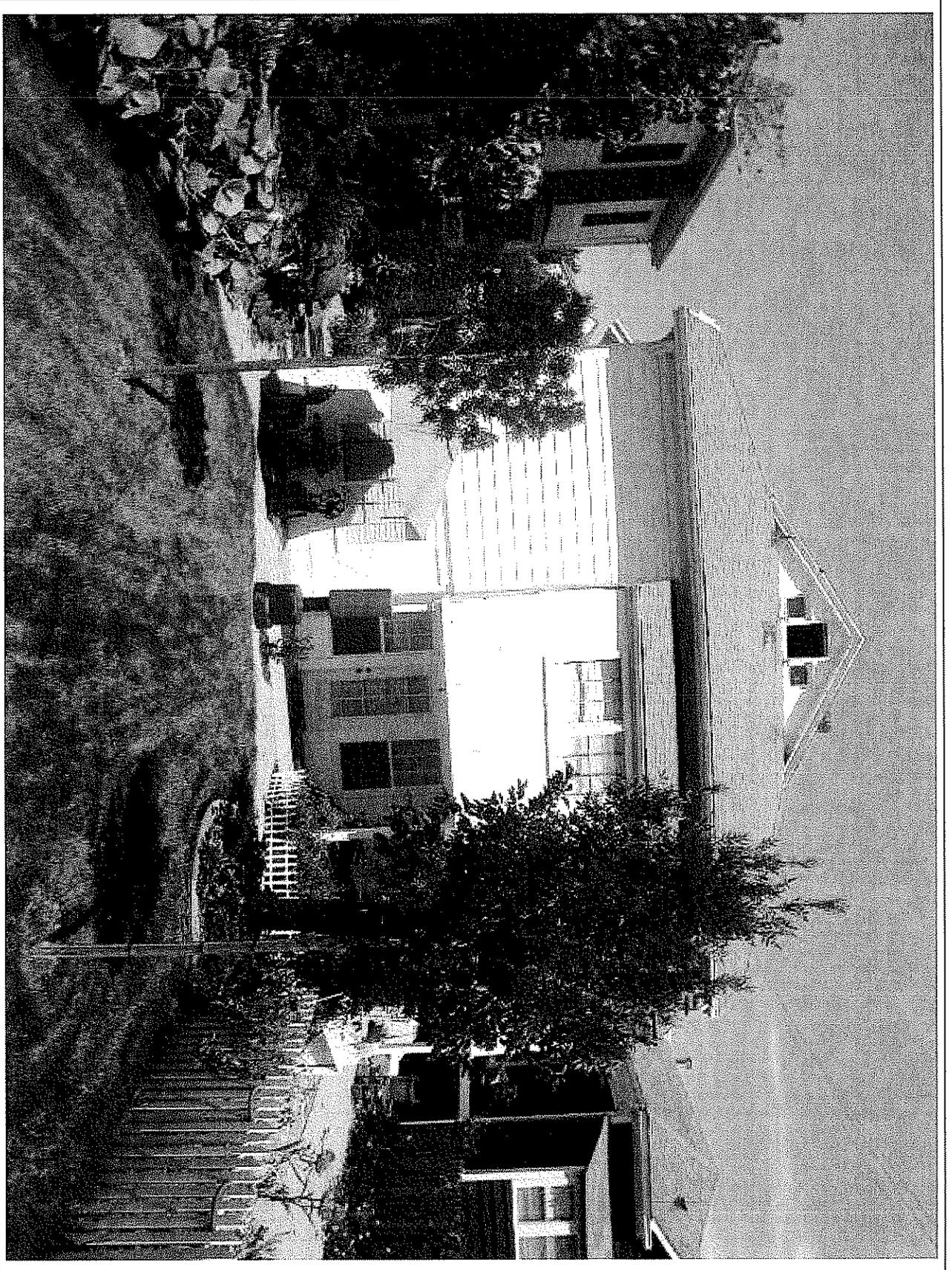


250 West H Street

View of Front Yard and Primary Facade



250 West H Street
Southwest view



**250 West H Street
View of Backyard**



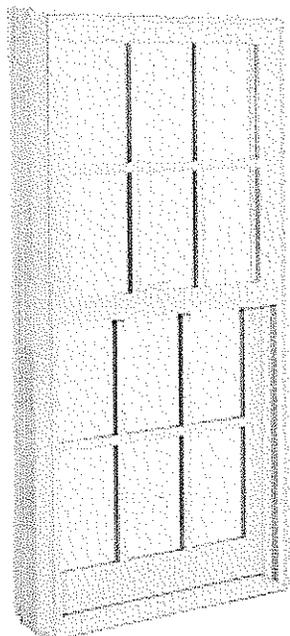
250 West H Street
Rear

PROPOSED BUILDING MATERIALS

*(If viewing online, this attachment is available to view in the Community
Development Department or in the Benicia Public Library in the March 26, 2009
Historic Preservation Review Commission packet)*

Double Hung Ultimate Insert Double Hung

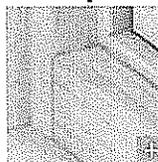
Home > Double Hung > Ultimate Insert Double Hung > Exterior View



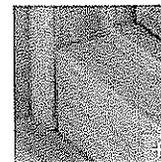
Exterior Wood Options



Grain(Standard)



Vertical Grain
Douglas Fir



Mahogany



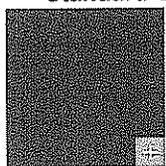
Primed Wood

Wood is a product of nature and will vary in color, texture and grain. The wood options shown above are to demonstrate the approximate look of each species only. The photos are not intended to reflect a product's interior or exterior profile.

Clad Color Options

Marvin's low maintenance, clad-wood products feature an extruded aluminum exterior finished in commercial-grade paint for superior resistance to fading and chalking.

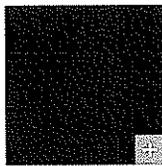
Standard Clad Colors



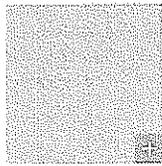
Bronze



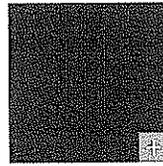
Stone White



Evergreen

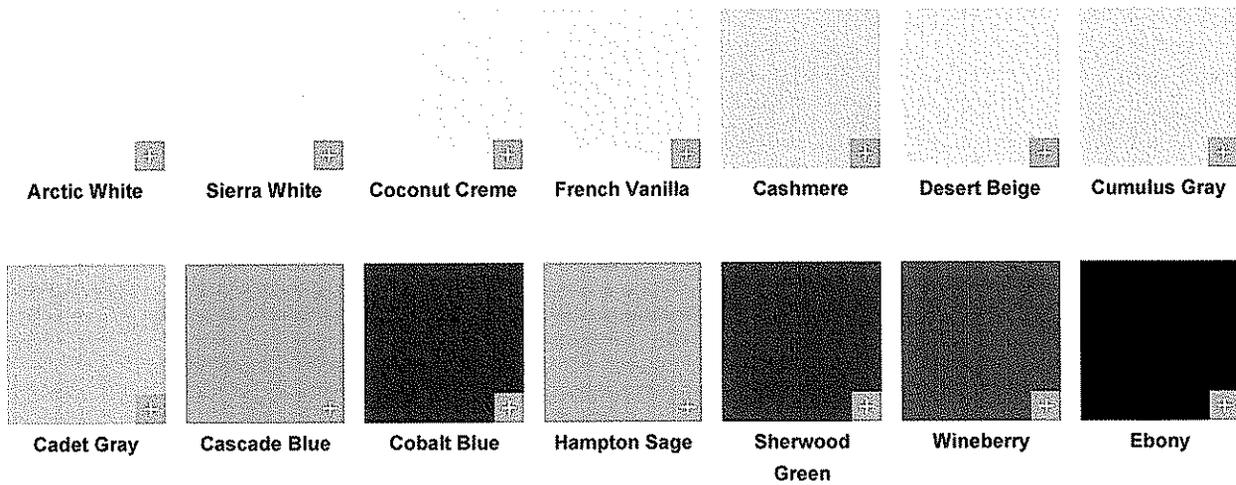


Pebble Gray



Bahama Brown

Select Clad Colors

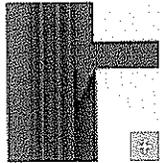


Custom Colors Made for You

Create the colors that spring from your imagination. Custom colors are available from Marvin Windows and Doors.*

- All standard, select and custom colors meet AAMA 2605-05.
- Clad colors shown are approximate. Please visit a Marvin retailer near you to see color samples.
- *Minimum quantities and additional lead-time are required. Up-front charges based on per-unit for windows and per panel for doors, and a Custom color set-up charge is required.

Ogee Lug Option

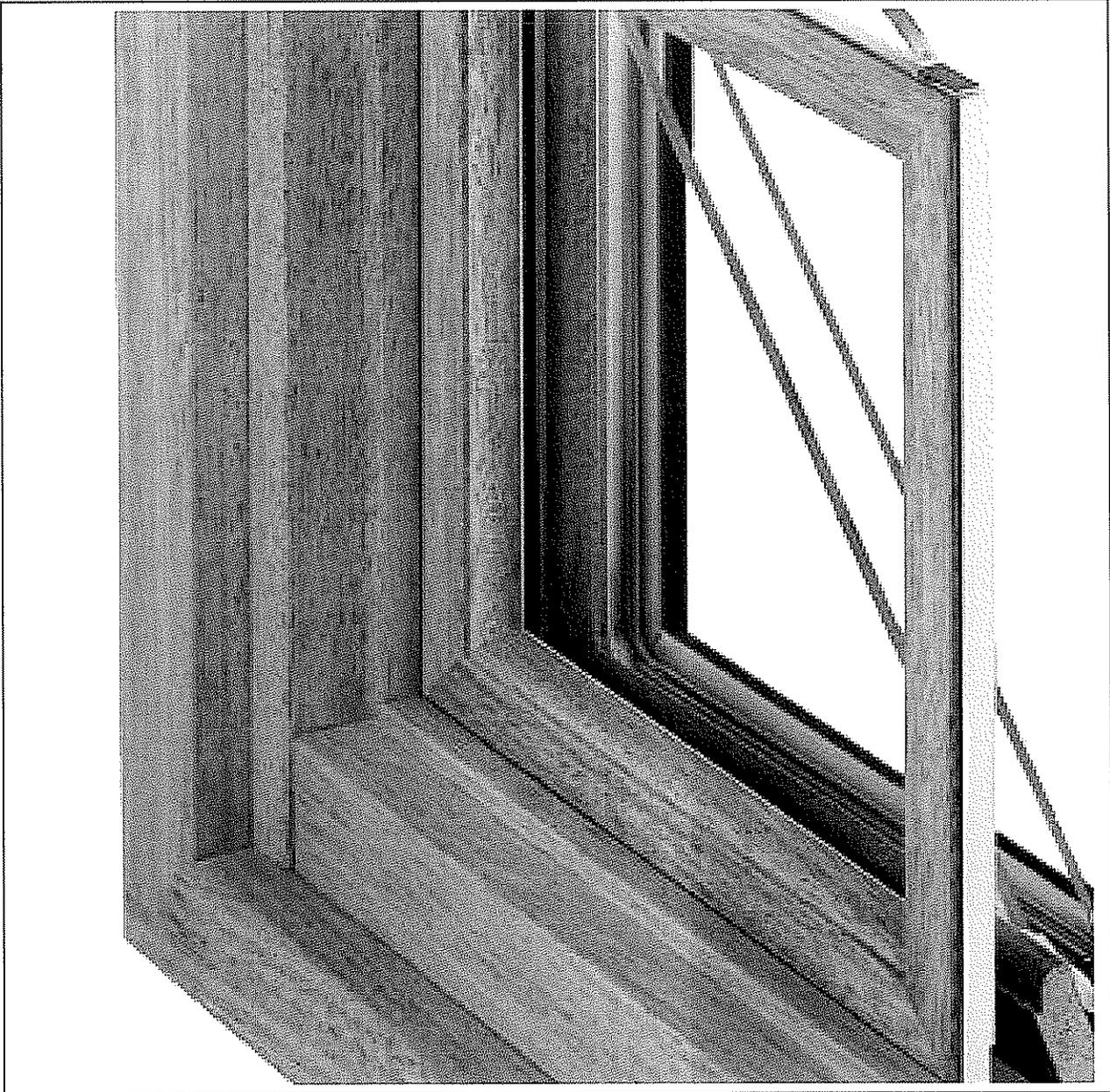


Ogee lugs are available for both wood and clad-wood windows, and can be added to the exterior of the top sash at the check rail.

- Top sash with ogee lugs attached cannot be tilted until the ogee lugs have been removed.

Clad Ogee Lug

Marvin – Ultimate Insert Double Hung



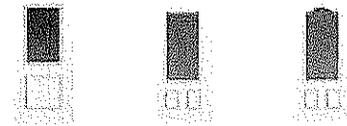
[« Go Back to the Door Gallery](#)

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DOOR STYLE (22)

Click an option.

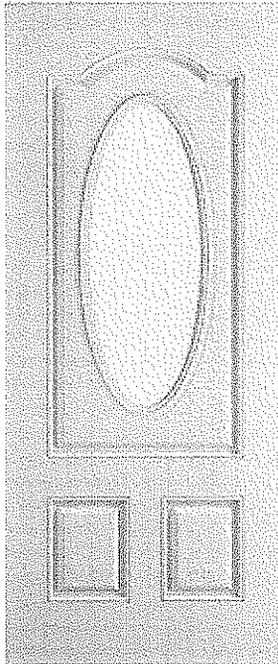
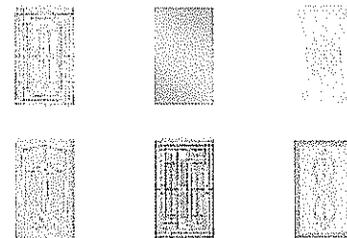
[What's Th](#)



GLASS DESIGNS (16)

Click an option.

[What's Th](#)



BLS-304-999-3
Belleville Smooth 3 Panel
Arch Top Door 3/4 Oval -
Please choose Glass

BELLEVILLE
Fiberglass Entry Doors

Belleville Smooth

The Belleville® Fiberglass Door Collection combines superior beauty and architectural design with maximum flexibility. Belleville Smooth doors have a high-definition panel profile and a beautiful smooth finish.

- Square-edge stile provides unsurpassed authenticity
- High Definition panel detailing for outstanding appearance
- Wide selection of designs and sizes available.
 - Limited Lifetime Warranty

[See the Features of a Masonite Belleville Series Door](#)

Size Chart:

	Widths						
Heights	24"	28"	30"	32"	34"	36"	42"
80"				•	•	•	

Disclaimer: The Size Chart represents the width and height options available for the Door/Glass combination you've selected.

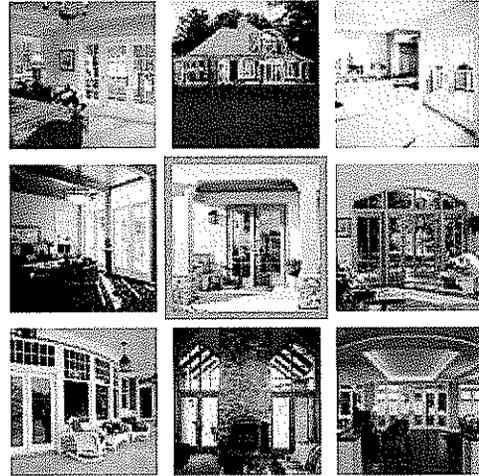
Finishing: This door is: Paintable

Disclaimer: Our continuing program of product improvement makes specifications, design and product detail subject to change without notice. Glass as viewed may not match exactly in color to actual product.

Swinging Doors

Ultimate Swinging French Door

Home > Swinging Doors > Ultimate Swinging French Door



Ultimate Swinging French Door

- Marvin's Inswing or Outswing French Doors offer unmatched fit and finish and remarkable design flexibility.
- Most Ultimate French Doors have a DP40 rating for commercial-grade performance.
- Now available with the beautiful, traditional shadow lines of a raised panel or the crisp, clean look of a flat panel.

dow lines of a raised panel or the crisp, clean look of a flat panel.

Standard Features

- Tempered, one-lite insulating glass
- Satin Taupe handle with multi-point locking system on the active panel and a matching dummy handle on the inactive panel
- Head and foot bolts on inactive panel
- Satin Taupe adjustable hinges
- Oak liner on Ultrex® sill (*What's this?*)
- All wood Brick Mould Casing (wood units)
- 4 9/16" (116 mm) jambs
- Bare wood interior
- Vinyl Drip Cap and nailing fin (clad units)

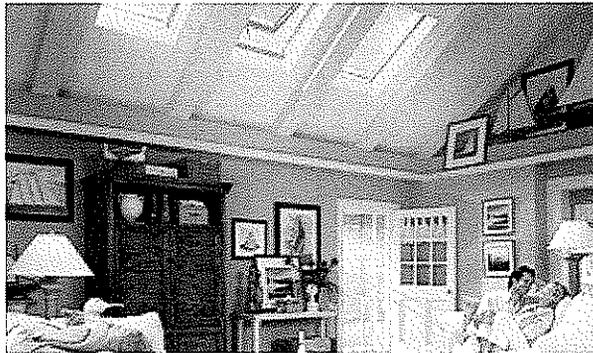
©2009 Marvin Windows and Doors

CE This product is CE certified.



Skylights

- Residential skylights
- Skylights
 - Electric venting
 - Manual venting
 - Fixed
- Roof windows
- SUN TUNNEL™ skylight
- Accessories
- Product selector
- Commercial program
- Solar water heating systems



VELUX skylights are designed for overhead, out-of-reach applications or for in-reach applications that do not require egress emergency escape capabilities. They come in a wide range of sizes and features with a full assortment of blinds available.

Significantly reduce energy costs while experiencing

The benefits of daylighting.



Electric venting skylights
Skylights that open at the touch of a button.



Manual venting skylights
Skylights that operate with manual controls.



Fixed skylights
Skylights that provide an outside view, but no fresh air.



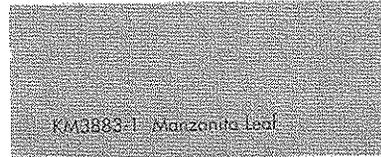
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WOODRUFF RESIDENCE

250 West H Street
Benicia California

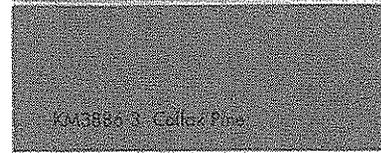
Body color:

Kelly Moore "Manzanita Leaf"
(KM3883-1 satin)



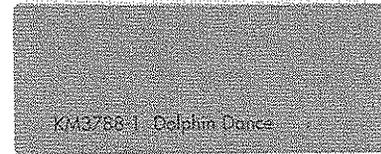
Corbel:

Kelly Moore "Colfax Pine"
(KM3886-3 satin)



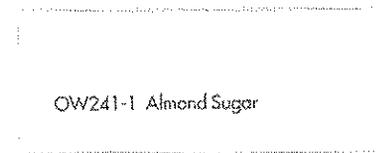
Porch band color:

Kelly Moore "Dolphin Dance"
(KM3788-1 satin)



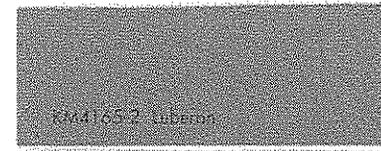
Body trim color: (windows, corners)

Kelly Moore "Almond Sugar"
(OW241-1 semi-gloss)



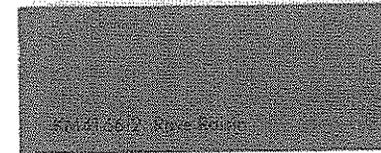
Skirt color:

Kelly Moore "Luberon"
(KM4165-2 satin)



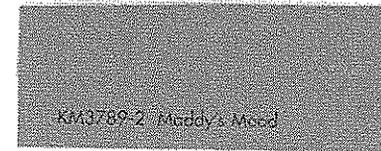
Window sash, Doors, Porch Corbel:

Kelly Moore "Rave Raisin"
(KM4166-1 semi-gloss)



Concrete front steps:

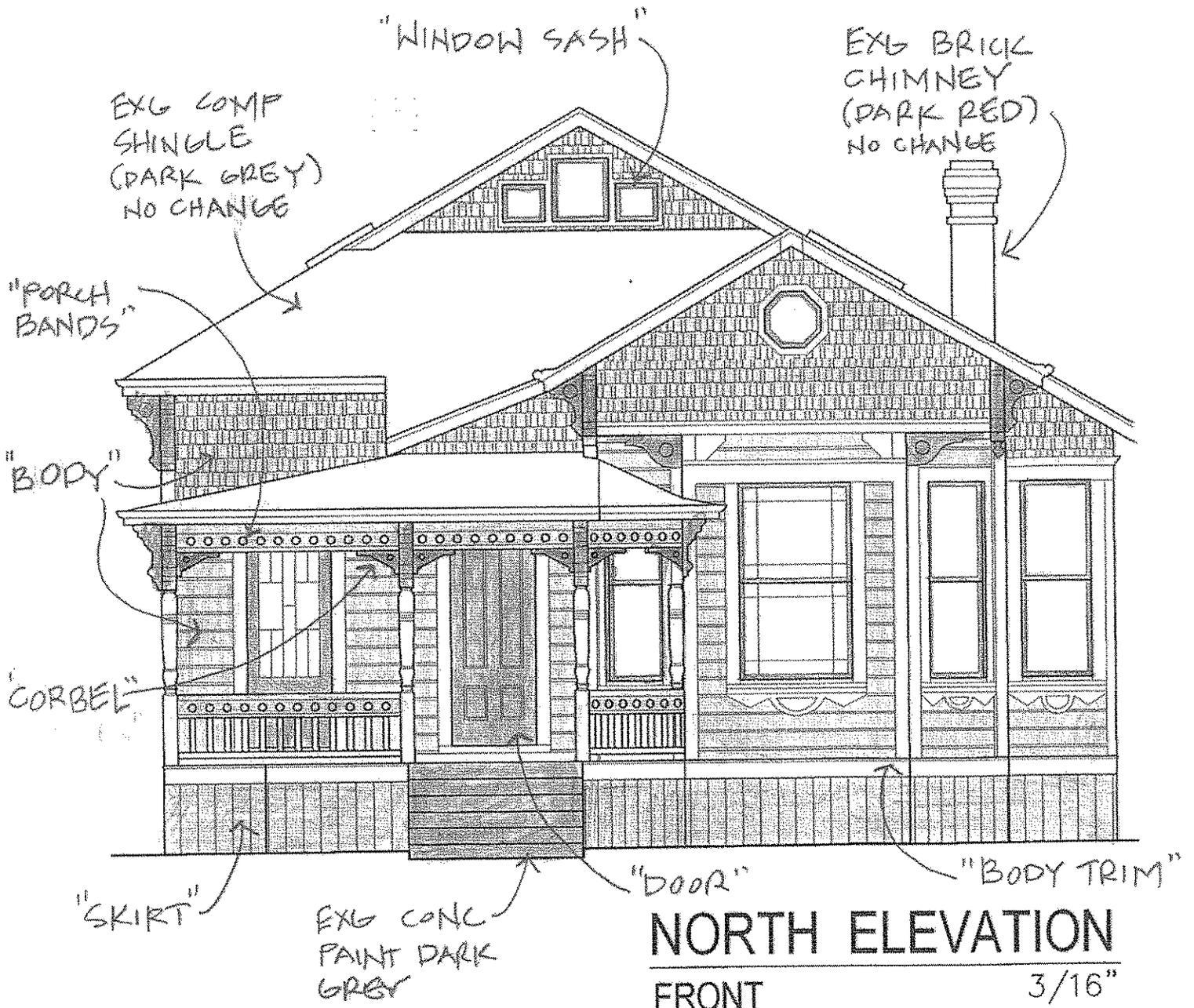
Kelly Moore "Maddy's Mood"
(KM3789-2 satin)



Brick at chimney and composition roof shingles:

Unchanged

WOODRUFF RESIDENCE
250 WEST H ST.



REJUVENATION
 rejuvenation.com | 888-401-1900

Cascadia

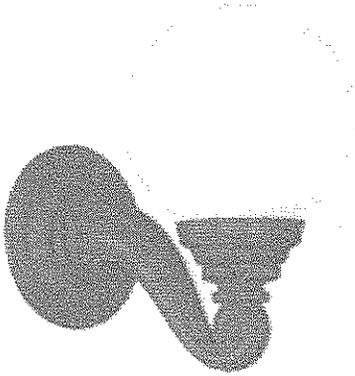
Item # AB 7847
 Cast Iron Porch Wall Bracket

Pricing

As Built \$188
 With Shade \$226

Customize options

- 39 shades



		Price
Item #	AB7847	
Overall Width	8"	
Overall Height	13"	
Projection	14"	
Wall Canopy	7"	
Filter Size	4"	
Finish	Black Enamel	188.00
Shade	BC2796 8" Satin	38.00
Maximum Wattage (per Socket)	100	
Number Of Sockets	1	
Orientation	Install As Shown	
UL Location	Wet	
Socket (determines Bulb)	Incandescent: Also Takes Screw-in CF Bulbs	
	Total Price	226.00

WOODRUFF RESID
 250 WEST H



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GAF-EIK Timberline® Prestique® Lifetime High Definition® Roofing Shingles

For just pennies-a-day more, you can enjoy our thickest, longest-lasting Timberline® Prestique® shingle (and increase your resale value, too!)

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Timberline® Prestique® Lifetime shingles will cost you just a fraction more than standard architectural shingles. In return, you can enjoy having the longest-lasting, thickest, and most-dimensional Timberline® wood shake look for your roof.

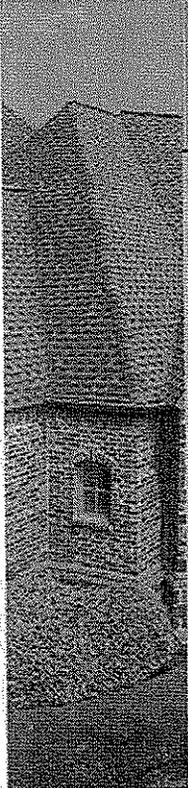
Thanks to layers that are up to 32% thicker than standard architectural shingles¹, combined with our patented High Definition® blends, Timberline® Prestique® Lifetime shingles offer a natural beauty and incredible thickness that you'll notice and appreciate. (Not to mention how much they'll increase the resale value of your home!)

For Homeowners

- **BEST INVESTMENT...**

Timberline® Prestique® Lifetime shingles are the heaviest, thickest, and longest-lasting shingles in the Timberline® Series.
- **DRAMATIC LOOK...**

Up to 32% thicker than standard architectural shingles¹, Timberline® Prestique® Lifetime shingles feature GAF-EIK's patented "High Definition" color blends and enhanced shadow effect.



Color
Pale





Community Development Department
MEMORANDUM

Date: March 19, 2009
To: Historic Preservation Review Commission
From: Gina Eleccion, Management Analyst 
Re: HPRC Rules and Procedures

Each Commission or Committee representing the City of Benicia operates under a set of rules and procedures. The Historic Preservation Review Commission adopted its rules and procedures in September 2005.

The Commission has requested a review and amendment, if necessary, of these rules and procedures. I have attached the Planning Commission Rules and Procedures, as well as the HPRC's list of priority items. Both of these documents are included as reference only, not for discussion or action.

Attachments:

- HPRC Rules and Procedures – adopted September 2005
- Planning Commission Rules and Procedures (attached as reference only)
- List of Priority Discussion Items (attached as reference only)

HPRC RULES AND PROCEDURES

HISTORIC PRESERVATION REVIEW COMMISSION
RULES AND PROCEDURES
ADOPTED: SEPTEMBER 22, 2005

A. GENERAL PROVISIONS

1. These rules of procedure shall be known as "Rules and Procedures of the Historic Preservation Review Commission, City of Benicia." A copy of these rules and any amendments shall be filed in the Community Development Department for examination by the public.
2. These rules, and any amendments, shall be effective on the date of the adoption and shall govern the conduct of the Historic Preservation Review Commission.
3. These rules of procedure may be amended hereafter by action of the Historic Preservation Review Commission.

B. MEMBERSHIP

Membership, Term of Office, and Maintenance of Membership is regulated by Benicia Municipal Code, Chapter 2.56, *Historic Preservation Review Commission*. The Secretary of the Commission may be the Chair of the Commission, a Commissioner, or the Community Development Director, as designated by the Commission.

C. MEETINGS

1. Regular Meetings: The Historic Preservation Review Commission shall meet on the fourth Thursday of each month at 6:30 p.m.
2. Special Meetings: Special Meetings may be called by the Chair or by a majority of the Historic Preservation Review Commission members if determined to be necessary for discharge of the Historic Preservation Review Commission's responsibilities.
3. Meeting Location: Meetings shall be held in the City of Benicia Commission Room. When the Commission Room is unavailable and in exceptional circumstances, the Commission may change this meeting location by notice on its agenda.

D. RULES OF ORDER

The following definitions and rules shall govern the proceedings and order of business of the Historic Preservation Review Commission at the discretion and interpretation of the person serving as Chair of the meeting:

Presentation:

1. Prior to public discussion or Historic Preservation Review Commission deliberation, the presiding officer or other person designated by the Commission shall read out the agenda item language.
2. Staff may make a presentation to the Commission. Once staff has finished the presentation, the Chair will poll the Commissioners for questions of staff.
3. Once the Commissioners have finished with their questions the Chair will call for the applicant's presentation, if any, or call for public discussion on the matter before the Commission. Public discussion shall follow the applicant's presentation, but precede Historic Preservation Review Commission deliberation.

2. Public Discussion.

- a. Permission: Any person who wants to address the Historic Preservation Review Commission shall first secure the permission of the presiding officer. The Commission encourages the use of speaker slips, but members of the public may speak anonymously if they so choose.
- b. Public Comment: The public should provide their comments, including any questions, to the Chair. Commissioners and staff may respond to questions only through the Chair and should generally do so only after the speaker has concluded speaking. Speakers should not be interrupted unless they are out of order. A debate between Historic Preservation Review Commission members and the public should be avoided. Once the speaker has finished Commissioners may ask questions of a speaker.
- c. Time Limits: Applicants shall have 15 minutes to speak and will be given a 5 minute rebuttal period. No other persons shall speak for more than five (5) minutes without permission of the Chair. Groups may designate a spokesperson, who will be given 15 minutes to speak.
- d. Applicant Rebuttal: The applicant may have 5 minutes time to rebut public comments at the discretion of the Chair.

- e. Close Public Discussion: Once all members of the public wishing to speak have been heard on the matter, the Chair shall close the public discussion session and bring the matter back to the Commission for consideration.

3. Deliberation:

- a. Conflict of Interest: In situations where there is a conflict of interest, members of the Historic Preservation Review Commission are required to abstain from voting on the item and participating in the decision-making process.

Whenever a Commissioner determines that a conflict of interest exists the Commissioner should follow the procedures written below:

1. Declare the conflict of interest.
2. State the basis of the conflict of interest.
3. Do not discuss or vote on the matter.
4. Leave the room until the item is completed

- b. Getting the Floor - Improper References to be Avoided: Every member desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine himself or herself to the questions under deliberation, avoiding all personalities and indecorous language.
- c. Interruptions: A member, once recognized, shall not be interrupted when speaking unless it be to call said member to order, or as otherwise provided by these rules and procedures. If a member, while speaking, is called to order, said member shall cease speaking until the question of order be determined, and if in order, said member shall be permitted to proceed.
- d. Presiding Officer May Deliberate: The Chair may participate in the Commission's deliberations and decision, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Historic Preservation Review Commission by reason of his or her acting as the Chair.
- e. Remarks of Historic Preservation Review Commission Member - When Entered in Minutes: Any Historic Preservation Review Commission

member may request, through the Chair, the privilege of having a written statement on any subject under consideration by the Historic Preservation Review Commission entered in the minutes. If the Historic Preservation Review Commission consents thereto, such statement shall be entered in the minutes. The request should follow the vote, if any, on the agenda item.

- f. Second Required: All motions except for nominations and a point of order shall require a second.
- g. Pending Motion: When a motion is pending before the Historic Preservation Review Commission, no person other than a Historic Preservation Review Commission member shall address the Historic Preservation Review Commission without first securing the permission of the Chair to do so.
- h. Voting: Four (4) members of the Historic Preservation Review Commission shall constitute a quorum for the transaction of business. Approval of any matter shall be by majority vote of the members of the Commission present. A tie vote on any matter before the Commission shall be deemed to be a disapproval thereof (BMC Section 2.56.070).
- i. Forms of Action: The Historic Preservation Review Commission may act by motion or resolution. All motions shall be recorded in the minutes verbatim. All resolutions shall be in writing and the title shall be recorded verbatim in the minutes as well as the vote thereon.
- j. Miscellaneous: All other matters not covered by these rules shall be decided by a majority of the Commission. Roberts Rules of Order may be used as a guide.
- k. Subcommittees: The Commission may establish subcommittees from time to time to carry out the business of the Commission.

4. Appeals and Calls for Review:

Appeals shall be governed by Benicia Municipal Code Chapter 17.124.

E. PREEMPTION

The applicable City of Benicia's policies, resolutions and ordinances and state and federal laws shall prevail where a conflict exists between any of them and these Rules and Procedures.

HISTORIC PRESERVATION REVIEW COMMISSION
RULES AND PROCEDURES
ADOPTED: SEPTEMBER 22, 2005

A. GENERAL PROVISIONS

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2. These rules, and any amendments, shall be effective on the date of the adoption and shall govern the conduct of the Historic Preservation Review Commission.
3. These rules of procedure may be amended hereafter by action of the Historic Preservation Review Commission.

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- c. Interruptions: A member, once recognized, shall not be interrupted when speaking unless it be to call said member to order, or as otherwise provided by these rules and procedures. If a member, while speaking, is called to order, said member shall cease speaking until the question of order be determined, and if in order, said member shall be permitted to proceed.
- d. Presiding Officer May Deliberate: The Chair may participate in the Commission's deliberations and decision, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Historic Preservation Review Commission by reason of his or her acting as the Chair.
- e. Remarks of Historic Preservation Review Commission Member - When Entered in Minutes: Any Historic Preservation Review Commission

member may request, through the Chair, the privilege of having a written statement on any subject under consideration by the Historic Preservation Review Commission entered in the minutes. If the Historic Preservation Review Commission consents thereto, such statement shall be entered in the minutes. The request should follow the vote, if any, on the agenda item.

- f. Second Required: All motions except for nominations and a point of order shall require a second.
- g. Pending Motion: When a motion is pending before the Historic Preservation Review Commission, no person other than a Historic Preservation Review Commission member shall address the Historic Preservation Review Commission without first securing the permission of the Chair to do so.
- h. Voting: Four (4) members of the Historic Preservation Review Commission shall constitute a quorum for the transaction of business. Approval of any matter shall be by majority vote of the members of the Commission present. A tie vote on any matter before the Commission shall be deemed to be a disapproval thereof (BMC Section 2.56.070).
- i. Forms of Action: The Historic Preservation Review Commission may act by motion or resolution. All motions shall be recorded in the minutes verbatim. All resolutions shall be in writing and the title shall be recorded verbatim in the minutes as well as the vote thereon.
- j. Miscellaneous: All other matters not covered by these rules shall be decided by a majority of the Commission. Roberts Rules of Order may be used as a guide.
- k. Subcommittees: The Commission may establish subcommittees from time to time to carry out the business of the Commission.

4. Appeals and Calls for Review:

Appeals shall be governed by Benicia Municipal Code Chapter 17.124.

E. PREEMPTION

The applicable City of Benicia's policies, resolutions and ordinances and state and federal laws shall prevail where a conflict exists between any of them and these Rules and Procedures.

PC RULES AND PROCEDURES

RULES AND PROCEDURES
ADOPTED: DECEMBER 11, 2008

A. GENERAL PROVISIONS

1. These rules and procedures shall be known as "Rules and Procedures of the Planning Commission, City of Benicia." A copy of these rules and amendments thereto shall be filed in the Community Development Department for examination by the public.
2. These rules, and any amendments thereto, shall be effective on the date of the adoption hereof and shall govern the conduct of the Planning Commission.
3. These rules and procedures may be amended hereafter by action of the Planning Commission.

B. OFFICERS

1. The officers of the Commission/Board shall be:

Chair: who shall preside at all meetings of the Planning Commission, call special meetings, appoint committees, and perform other proper duties of a presiding officer. Except as otherwise authorized by the Planning Commission, the Chair shall sign all correspondence, reports and other instruments approved by the Planning Commission.

Vice Chair: who shall perform the duties of the Chair in the absence or incapacity of the Chair; and in case of the resignation or other permanent absence of the Chair, the Vice Chair shall perform such duties as are imposed on the Chair until such time as the Planning Commission shall select a new chair.

Secretary: who shall keep a written record of all business transacted by the Planning Commission, notify members of meetings, maintain the official records of the Planning Commission, and perform such other duties as the Planning Commission may direct.

2. The Chair and Vice Chair shall be elected by the Planning Commission from its membership at their October meeting each year when the Planning Commission is fully constituted. The Community Development Director or his or her designee shall serve as Secretary to the Commission/Board.
3. Staff Person. The Staff Person of the Planning Commission shall: (a) supply the Planning Commission members with such information and make such

recommendation as deemed necessary to carry out the purposes of the Planning Commission and to properly administer its affairs; and (b) be the single point of contact for the Planning Commission.

4. Additional Duties. The officers of the Planning Commission shall perform such other duties and functions as may from time to time be required by the Planning Commission.

C. MEETINGS

1. The regular meeting of the Planning Commission shall be on the second Thursday of each month at 7:00 pm. In compliance with the Brown Act and the Open Government Ordinance, all regular meetings shall be open and public. An agenda for regular meetings will be prepared and posted six (6) days prior to a meeting.
2. Special meetings may be called by the Chair or by a majority of the Planning Commission members if determined to be necessary for discharge of the Planning Commission's responsibilities. The Secretary shall poll Planning Commission members and attempt to arrange a date and time convenient to all Planning Commission members. Notice of special meetings shall be given consistent with Brown Act and Open Government Ordinance requirements.
3. Meeting Location. Regular meetings shall be held in the Council Chambers. When the Council Chamber is unavailable and in exceptional circumstances, the Planning Commission may change this meeting location by notice on its agenda
4. Adjournment. The Planning Commission shall not begin new public hearing items after 11:00 p.m. Public hearing items which remain on the agenda may be continued to the next regular meeting of the Commission, or to a special meeting. At the conclusion of the last public hearing item that ends after 11:00 p.m., the Commission may determine by a simple majority vote that all remaining administrative items on the agenda be heard by the Commission or continued to a future meeting and the Planning Commission may extend the meeting to an additional specified amount of time.

D. AGENDA

1. Opening of Meeting/Pledge of Allegiance/Roll Call
2. Reference to Fundamental Rights of Public
3. Agenda Changes and Discussion

PLANNING COMMISSION
RULES AND PROCEDURES
PAGE 3

4. Public Comment
5. Consent Calendar/Approval of the Agenda/Approval of Minutes
6. Agenda Items
7. Communications from Staff/Communications from Commissioners
8. Adjournment

E. MINUTES

1. General Policy Statement on Minutes of Meeting. It is the general policy of the Planning Commission to prepare draft minutes of the deliberations of the Planning Commission. These minutes will include:
 - a. the time the meeting was called to order,
 - b. the names of the members attending the meeting,
 - c. a one-sentence summary of, and the roll call vote on, each matter considered at the meeting,
 - d. the time the body began and ended any closed session,
 - e. any letters submitted on agenda items,
 - f. those members of the public who spoke on each matter if the speakers identified themselves,
 - g. and the time the meeting was adjourned.

The draft minutes of each meeting shall be available for inspection and copying upon request within the shortest possible time after the meeting. Minutes must be finalized and adopted by the majority of Planning Commission members in order to be regarded as an official record of the Planning Commission. No later than five business days after the meeting at which the minutes are adopted, the officially adopted minutes shall be available for inspection and copying upon request and shall be posted on the city's web site.

2. Public Comment. Any member of the public during Oral Communications may request that corrections or deletions be made to the minutes. These requests may be acted upon by the Planning Commission with appropriate review and deliberation.

3. Method of Documentation. It is the policy of the Planning Commission to retain tape recordings documenting Planning Commission deliberations for two years following the finalization and adoption of written minutes. Written minutes that have been adopted by the Planning Commission shall constitute the official record of the Commission and shall be maintained indefinitely.

F. RULES OF ORDER

The following definitions and rules shall govern the proceedings and order of business of the Planning Commission:

1. Prior to public discussion or Planning Commission deliberation, the presiding officer or other person designated thereby shall describe the item or business before the Planning Commission.

2. Public Discussion.

The presiding officer shall recognize speakers on an agenda item when that item is before the Planning Commission for consideration. (This includes any comments pertaining to the Announcements/Appointments/Presentations/Proclamations section of the agenda.) The presiding officer shall recognize speakers on Public Hearing items at the Public Hearing. The presiding officer shall recognize speakers on matters not on the agenda under the Opportunity for Public Comment portion of the agenda.

Persons addressing the Planning Commission shall do so only at the speakers' rostrum and should begin, but are not required to do so, by stating their name and address for the record. All remarks shall be addressed to the Planning Commission as a body and not to any member thereof, or to staff, or to the public. No person other than a member of the Planning Commission and the person having the floor shall be permitted to enter into any discussion without the permission of the presiding officer. Speakers may not make personal attacks on Planning Commissioners, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

- a. Recognition. Any person addressing the Planning Commission shall first secure the permission of the presiding officer.
- b. Not a Debate. Public discussion should not be used to elicit a debate between Planning Commission members and the public. Speakers should not be interrupted unless they are out of order.

c. Time Limits. Each speaker shall speak only once on an agenda item and limit his/her remarks to five (5) minutes when speaking at the time of the agenda item or when speaking on non-agenda items under Opportunity for Public Comment, except as otherwise specifically provided for in these Rules or in the Open Government Ordinance, or except as time is extended by the presiding officer with the consent of the majority of the Planning Commission. Each speaker shall avoid repetition of the remarks of prior speakers and speak only to the specific agenda item under consideration.

In accordance with the Open Government Ordinance, the presiding officer may request spokespersons be designated to represent similar views. Spokespersons shall each have fifteen (15) minutes to present their case. Any spokesperson wishing to make a rebuttal shall have 5 (five) minutes to present.

d. Pending Motion. When a motion is pending before the Planning Commission, no person other than a Planning Commission member shall address the Planning Commission without first securing the permission of the Chair to do so.

e. Public Discussion. Public Discussion shall precede Planning Commission deliberation.

f. No discussion shall be permitted, without approval of the Planning Commission, after a motion has been adopted which would terminate further deliberation.

3. Appeals

a. The procedure for the conduct of all appeals to the Planning Commission shall be as set forth in the governing ordinance or resolution.

b. If no procedure is set forth, the staff person shall first present his or her case. The appellant shall then present his or her case. The staff person may then offer a rebuttal. The staff person and appellant may then present closing arguments.

4. Planning Commission Deliberation.

a. Presiding Officer May Deliberate. The presiding officer may deliberate from the chair, subject only to such limitations of deliberation as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges as a member of the Planning Commission by reason of his or her acting as the presiding officer.

b. Conflict of Interest. In situations where there is a conflict of interest under the Political Reform Act, the Open Government Ordinance or other conflict laws, members of the Planning Commission are required to abstain from voting on the item and participating in the decision-making process. The following procedures should be followed:

- i. Declare the conflict of interest.
- ii. State the basis of the conflict of interest.
- iii. Do not discuss or vote on the matter.
- iv. Step down from the podium and leave the room until the item is completed or unless the Political Reform Act allows the member to remain in the room.

c. Getting the Floor - Improper References to be Avoided. Every member desiring to speak shall address the Chair, and upon recognition by the presiding officer, shall confine himself or herself to the questions under deliberation, avoiding all personalities and indecorous language.

d. Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call said member to order, or as herein otherwise provided. If a member, while speaking, be called to order, said member shall cease speaking until the question of order be determined, and if in order, said member shall be permitted to proceed.

e. Remarks of Commission/Board Member - When Entered in Minutes. Any Planning Commission member may request, through the presiding officer, the privilege of having a written abstract of said member's statement on any subject under consideration by the Planning Commission entered in the minutes. If the Planning Commission consents thereto, such statement shall be entered in the minutes.

f. Motion to Reconsider. A motion to reconsider any action taken by the Planning Commission may be made only on the date such action was taken. It may be made either immediately during the same session; or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable.

g. Motion to Table. A motion to lay on the table shall preclude all amendments or deliberation of the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed only upon a motion of a member voting with the majority.

h. Motion to Call for Question or Continue to a Date Specific. A motion to call for the question or continue the matter to a specific date shall preclude

all amendments to or deliberation of the subject under consideration and is not debatable.

i. Statement of Position. When a motion to call for question or table is adopted, each member of the Planning Commission may briefly state his/her position on the matter before roll call or call for the next item of business.

j. Privilege of Closing Deliberation. The member moving the adoption of a motion or resolution shall have the privilege of closing the deliberations or making the final statement.

k. Division of Question. If the question contains two (2) or more divisible propositions, the presiding officer may, and upon request of a member shall, divide the same.

l. Second Required. All motions, except for nominations and a point of order, shall require a second.

m. Voting. A vote of three (3) members at a properly called meeting shall be necessary for any action of the Planning Commission. Four (4) members of the Planning Commission shall constitute a quorum. If a motion fails to receive the required number of votes to pass or fail, the request of any Planning Commission member would cause the item to be carried over to the next meeting.

n. Forms of Action. The Planning Commission may act by motion or resolution. All motions shall be recorded in the minutes verbatim. All resolutions shall be in writing and the title shall be recorded verbatim in the minutes as well as the vote thereon.

o. Miscellaneous. All other matters not covered by these rules shall be decided by a majority of the Planning Commission. Roberts Rules of Order may be used as a guide.

G. ATTENDANCE

It shall be the responsibility of each Planning Commission member to notify the Secretary, who shall thereupon notify the Chair, of an inability to attend a scheduled Planning Commission meeting. Other applicable attendance rules for Commissioners are governed by the Benicia Municipal Code.

H. PREEMPTION

The applicable City of Benicia's policies, resolutions and ordinances and state and federal laws shall prevail where a conflict exists between any of them and these Rules and Procedures.

LIST OF PRIORITY DISCUSSION ITEMS

Priority List of Discussion Items

Priority	Discussion Item	Status
1	<p>Historic Context</p> <p>Includes:</p> <ol style="list-style-type: none"> 1. Portuguese Influence 	<p>2008 – Applied for grant. Did not receive. Will apply for 2009 grant</p>
2	<p>Downtown Historic Conservation Plan Update</p> <p>Includes:</p> <ol style="list-style-type: none"> 1. Window Standards – Review existing resolution establishing window standards 2. Craftsman Cottages 3. Paint Standards for the H overlay district 4. Design Guidelines for non-historic homes 	<p>Pending update to Historic Resource Inventory</p>
3	<p>Staff level Design Review (Administrative Certificates of Appropriateness) for specific projects that are consistent with Secretary of Interior's Standards for the Treatment of Historic Properties</p>	
4	<p>Secretary of the Interior Standards for Treatment of Historic Properties</p>	<p>Ongoing SHPO training (Mark Huck) February 2008 Additional discussion requested by Chair Mang</p>
5	<p>Information to Historic Property Owners and Realtors (Notification of historic property designation status & eligibility for Mills Act)</p>	<p>Complete until further direction. Staff report 1-25-07. Staff to draft language to be included on deed. Will cost City approximately \$15,000 to implement</p>
6	<p>Fee Schedule and Design Review Process (for both historic and non-historic properties)</p>	

Priority	Discussion Item	Status
<u>ANNUAL</u>	Mills Act Compliance Report	Result of annual inspections
	Certified Local Government Report	Discussion of annual report submitted to SHPO
	City-owned Historic Buildings (Project Status and Maintenance)	Ongoing. Parks & Community Services Dept. will prepare an annual status report
<u>COMPLETED</u>		
	Story Pole requirement for projects that require Design Review in the H overlay district	Complete. Implementation program of the Downtown Mixed-Use Master Plan
	Mills Act Monitoring	Complete. Monitoring Program adopted 8-31-06
	Property Maintenance Issues	Complete. Staff report 9-28-06. No further action required
	Design Review for all single-family homes in the H overlay district	Complete until update of DHCP to include design guidelines
	Mills Act Program – Training, discussion of overall program and recommendation to City Council for amendments	Completed November 2008 - Additional discussion on program eligibility. Minimal changes recommended. SHPO training early Spring 2008 Program overview 7-24-08