

*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.

A. Approval of Agenda

B. Approval of Minutes of April 24, 2008

IV. REGULAR AGENDA ITEMS

A. SOUTHERN PACIFIC DEPOT ADA ACCESSIBILITY AND SCHEMATIC SITE PLAN –

Continued per Benicia Main Street Board of Directors

90 First Street; APN: 80-20-007

PROPOSAL:

Design Review for a schematic site plan, including a parking lot and accompanying site features, and ADA accessibility. ADA accessibility upgrades include an ADA ramp on the East side of the building, new hardware for the historic sliding baggage door, and hardscape features.

Recommendation: Adopt a resolution (1) approving Design Review for site design and ADA, and (2), recommend that the City Council approve the SP Depot schematic site plan.

B. DESIGN REVIEW FEES FOR HISTORIC HOMES IN THE DOWNTOWN HISTORIC OVERLAY DISTRICT – Commission Discussion

PROPOSAL:

At the April 24, 2008 regular meeting, the Historic Preservation Review Commission requested a discussion of design review fees for historic property owners.

C. DESIGN REVIEW AUTHORITY OUTSIDE THE DOWNTOWN HISTORIC OVERLAY DISTRICT – Commission Discussion

PROPOSAL:

At a special meeting on January 29, 2008, the City Council directed staff to process amendments to the zoning ordinance necessary to transfer authority for commission-level design review outside historic districts from HPRC to the Planning Commission. At its February 14, 2008 regular meeting, the Planning Commission recommended approval of the amendments.

V. COMMUNICATIONS FROM COMMISSIONERS

VI. COMMUNICATIONS FROM STAFF

A. REPLACEMENT DOORS AT 700 FIRST STREET

B. UPDATE ON HISTORIC SURVEY PROCESS

Staff to give a verbal report.

VI. ADJOURNMENT

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.

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 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.

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 Community Development Department Office and the Benicia Public Library 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 agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Community Development Department Office located at 250 East L Street, Benicia, or at the meeting held in the Commission Room. If you wish to submit written information on an agenda item, please submit to the Community Development Department as soon as possible so that it may be distributed to the Historic Preservation Review Commission.



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY COUNCIL CHAMBERS

REGULAR MEETING MINUTES

**Thursday, April 24, 2008
6:30 P.M.**

I. CALL TO ORDER

A. Pledge of Allegiance

B. Roll Call of Commissioners

Present: Commissioners Crompton, Donaghue, Haughey, Mang, McKee, Taagepera,
and White

Absent: None

Staff Present:

Charlie Knox, Community Development Director

Lisa Porras, Senior Planner

Rhonda Corey, Senior Administrative Clerk

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. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN

None

B. PUBLIC COMMENT

None

III. PRESENTATIONS

A. PROCLAMATION OF COMMENDATION FOR LUIS DELGADO FOR SERVICE TO THE COMMUNITY – Continued from March 27, 2008

Charlie Knox presented a proclamation to Luis Delgado for his service to the community

Luis Delgado expressed his appreciation for all of the hard work of staff and thanked them stating it has been a pleasure to work with them and serve on the Commission.

B. 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.

Following the presentation, public comment was made by several concerned citizens regarding Robert's Rules of order not being applied. The City Attorney advised that conflict of interest issues will be addressed at the next City Council meeting

IV. ELECTION OF OFFICERS – Continued from March 27, 2008

Jon Van Landschoot, 175 West H Street - Requests that a Chair/Vice Chair be elected that has a longer term of service.

Sandra Shannonhouse, 110 East E Street - Expressed anger regarding Commissioner Donaghue sitting as Chair and facilitating the meeting prior to the election of officer she feels he has some conflict of interest and made statements regarding her personal/neighbor issues with Mr. Donaghue.

Bonnie Silveria- Spoke to the traditions of Commissions and Boards and advised that the Chair only makes a motion if no one else speaks. Suggests that those elected to the positions be chosen based on being persons of honor and length of service.

Donald Dean, 257 West I Street - Commented that the running of the meeting is loosely based on Robert's Rules of Order.

Nominations:

Commissioner Donaghue nominated Commissioner Mang for Chair.
Commissioner Taagepera nominated Commissioner Haughey for Chair.

The question was raised by Commissioners addressing the need for a second on the nominations and were directed by Charlie Knox to proceed without a second as it is not required.

Vote for Mang as Chair:

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

Following the vote, Commissioner Taagepera stated that she was momentarily distracted during the voting process and inadvertently voted incorrectly.

A second polling of Commissioners was conducted with the vote as follows:

Mang for Chair:

Ayes: Commissioners Crompton, Donaghue, McKee, and White
 Noes: Commissioner Taagepera
 Abstain: Commissioners Haughey and Mang

Vote for White for Vice Chair:

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

V. CONSENT CALENDAR

On motion of Vice Chair White, seconded by Chair Mang, the Consent Calendar was approved by the following vote:

Ayes: Commissioners Crompton, Donaghue, Haughey, Mang, McKee, Taagepera and White
 Noes: None
 Absent: None
 Abstain: Commissioner McKee (Item V-B)

A. Approval of Agenda

B. Approval of Minutes of March 27, 2008

VI. REGULAR AGENDA ITEMS

A. TANNERY BUILDING FAÇADE RENOVATIONS

08PLN-22 Design Review
 127 First Street, APN: 0089-244-050

PROPOSAL:

The applicant requests design review approval to modify the west and south facing elevations of a preexisting building, otherwise known as The Tannery. Façade modifications include the re-configuration of four (4) groups of preexisting window and door compositions, exterior paint and siding repair, and exterior lighting.

Recommendation: Approve the modifications to the south and west facades of an existing building located at 127 First Street.

Lisa Porras, Senior Planner, gave a report.

Commissioner McKee had questions regarding the window manufacturer.

Commissioner Haughey had questions regarding ownership of other buildings being the same and questioned why only some of the windows are being replaced.

Commissioner Taagepera had questions regarding the historic façade of the windows and asked when Carol Roland may possibly be completing her report on the evaluation of the building.

Commissioner Donaghue had questions about whether or not light pollution was considered when choosing the lantern style lighting proposed for the project

Applicant James Morgan presented an example of the windows and light fixtures and advised that the carriage light proposed casts only a small spotlight onto the ground and does not project outward. Also advised that a lot of time and research went into choosing windows and lighting. He further advised that the same windows are currently in place at 221 First Street and that Harbor Walk has similar windows of inferior quality currently in place.

Commissioner Taagepera had further questions regarding how changes could affect the historic status of the building and whether or not changes or conditions could be applied retroactively.

Charlie Knox replied stating that changes would not be retroactive and would only apply to the status of the building at time of approval.

Commissioner McKee had concerns about non-uniformity of the building but feels the proposed windows are appropriate and has no issue with the proposed lighting.

Commissioner Crompton agreed with Commissioner McKee regarding compatibility of the windows with the building.

The public hearing was opened.

Bonnie Silveria, Benicia Historical Society- Commented on the historical value of the Tannery stating that parts of the building are still original and historic. Also stated that the building is the last remaining structure of Benicia's industrial past aside from the Yuba building.

Kerry Carney recommended a book that she showed to the Commissioners that contains significant information regarding the history of Benicia.

Sandra Shannonhouse, 110 East E Street-Spoke about the east facing façade of the building previously having a portrait of the Benicia artist, the late Robert Arneson, which has now been chiseled off by unknown parties and wanted to know who removed it and where it is now located. She is a representative of the estate of the late Mr. Arneson.

John Hernandez, Applicant-responded to Ms. Shannonhouse's question advising her that Roger Steck's sister removed the artwork.

Jon Van Landschoot, 175 West H Street - Opposes this type of window stating that it has the appearance of a residential window in a commercial/historical district. He requested to physically see all windows to determine if they are historically correct.

John Hofherr, Project Architect - addressed immediate need for replacement due to currently unsafe windows and doors. Intention was for industrial design.

Elizabeth Gray, Tenant of the Tannery building since 1994-Agreed that new windows are necessary.

The public hearing was closed

RESOLUTION NO. 08-03 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING MODIFICATIONS TO THE SOUTH AND WEST BUILDING FACADES OF THE TANNERY BUILDING LOCATED AT 127 FIRST STREET

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

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

B. DESIGN REVIEW FOR NON-HISTORIC HOMES IN THE DOWNTOWN HISTORIC OVERLAY DISTRICT

Amendment to the Downtown Historic Conservation Plan
Downtown Historic (H) Overlay District

PROPOSAL:

The City Council has directed the Historic Preservation Review Commission (HPRC) to make recommendations regarding fees and levels of design review for construction and modifications of non-historic single-family and duplex homes in the Downtown Historic Overlay District. The Downtown Historic Conservation Plan (DHCP) currently exempts non-historic single-family and duplex residences from design review.

Recommendation: Adopt a resolution recommending that the City Council amend the Downtown Historic Conservation Plan to require design review in the Downtown Historic Overlay District for construction and remodeling of non-historic single-family homes and duplexes, with fees and levels of review for specific types of projects.

Charlie Knox, Community Development Director, gave an overview.

A recess was called at 8:17 p.m. The meeting was reconvened at 8:29 p.m.

The public hearing was opened.

Melanie Hurley- Requested clarification on non-historic buildings in the historic overlay district.

Bob Berman, Resident of the Downtown Historic District-Supports design review for non-historic buildings, single family homes and duplexes Expressed confusion regarding what constitutes major or minor review.

Bonnie Silveria, Benicia Historical Society- Asks that the resolution be passed with better clarification on specifications.

Kerry Carney, Benicia Historical Society- Agrees with design review on non-historic homes. Feels that the fees are inappropriate and exorbitant.

Phyllis Hartzell, 420 West K Street - Inquired about what the current permit fees are in the non-historic district. Feels fees should be lower.

Donald Dean, 257 West I Street- Supports the proposal. Requested clarification of routine maintenance vs. a minor project.

Kathleen Olson, 920 First Street - Posed questions regarding painting of historic and non-historic homes or buildings. Asked about routine maintenance on non-historic requiring design review. Also feels fees for design review are too costly.

Sandra Shannonhouse, 110 East E Street - Supports the proposal. Feels what impacts neighbors impacts everyone in the community.

Jon Van Landschoot, 175 West H Street - Supports proposal stating that CEQA says yes, downtown plan says yes, Historical Society says yes and HPRC should say yes. Has concerns about staff review for non-historic being subjective by staff. Disagrees with fees for historic homes and buildings. Requests fairness for all.

Donnell Rubay, 175 West H Street - Also wants clarification on small projects vs. routine maintenance. Requests fairness in fee schedule for historic vs. non-historic properties. Warned against discouraging non-historic property owners from proceeding due to large fees.

Vice Chair White stated he has heard comments from citizens opposing the proposal and fees. Believes there is a silent majority who are unaware of the implications and fees involved. Further stated that historic and Mills Act homes already have advantages through tax breaks. States he is against passing the proposal until clarified better by staff regarding definitions, criteria, boundaries and threshold. Requested continuation until the next meeting.

Commissioner McKee agrees with lower fees and a threshold for fairness to all. Suggests a small pamphlet be designed to staff level design review. Expressed concerns about approval delays and requests a better expedited process. Also requests clarification on minor/major projects and routine maintenance.

Commissioner Crompton agrees with proposal per what State guidelines require. He expressed concerns about consistency of properties and about the character of the town. Requests clarification minor repairs and routine maintenance. Feels that fees are already fair.

Chair Mang agrees that fees are already fair and also agrees with clarification on minor/major repair and routine maintenance.

Vice Chair White then made a motion to send the proposal back to staff to define boundaries, adopt minimal fees and base design criteria on the DMUMP for non-historic properties. Suggest fees for minor projects be set at \$300 and major projects \$600.

All Commissioners present agree on fee change to go to City Council for review.

After discussion with Charlie Knox, Vice Chair White’s first motion was withdrawn.

RESOLUTION NO. 08-02 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AMEND THE DOWNTOWN HISTORIC CONSERVATION PLAN TO REQUIRE DESIGN REVIEW FOR CONSTRUCTION AND MODIFICATIONS OF NON-HISTORIC SINGLE-FAMILY AND DUPLEX RESIDENCES

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

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

VII. COMMUNICATIONS FROM COMMISSIONERS

Commissioner McKee seconded the motion by Vice Chair White with the condition of amendment of revising the Downtown Historic Conservation Plan.

Design review to be agendized with City Council.

Procedure for nomination and election of Officer’s requested for future date.

VIII. COMMUNICATIONS FROM STAFF

None.

IX. ADJOURNMENT

Vice Chair White adjourned the meeting at 10:09 pm seconded by Commissioner Donaghue.



Community Development Department
MEMORANDUM

Date: May 15, 2008
To: Historic Preservation Review Commission
From: Mike Marcus, Assistant Planner
Re: Continuance of SP Depot ADA Accessibility and Schematic Site Plan

On May 14, 2008, the Community Development Department met with members of the Benicia Main Street Design Committee regarding the SP Depot ADA Accessibility and Schematic Site Plan. Speaking on behalf of the Main Street Board of Directors, Executive Director Nancy Martinez requested that the item be continued in order to allow further discussion on the design of the parking lot.

The item is being continued to a future meeting (TBA) of the Historic Preservation Review Commission. However, since this is an agendaized public hearing item, staff suggests that the Commission take public testimony at this meeting.



Community Development Department
MEMORANDUM

Date: May 22, 2008
To: Historic Preservation Review Commission
From: Gina Eleccion, Management Analyst
Re: Design Review Fees for Historic Property Owners

On April 24, 2008, the Historic Preservation Review Commission recommended design review for non-historic property owners, including the following fees:

TYPE OF PROJECT	APPROVAL AUTHORITY	FEE
MAJOR: New construction or additions. Must be compatible with the character of the historic district.	HPRC	\$600
MINOR: Alterations such as new or different siding or cladding, changes to roofs, windows, and doors.	STAFF (AND HPRC CONSENT CALENDAR)	\$300
ROUTINE MAINTENANCE: Repair, painting, reroofing, window replacement, siding replacement in-kind.	STAFF (OVER-THE-COUNTER)	NO CHARGE (building permit required, except for painting and doors)

In addition, the Commission requested discussion of design review fees for historic property owners. Current design review fees are:

TYPE OF PROJECT	APPROVAL AUTHORITY	FEE
MAJOR: Additions or exterior alterations. Review includes architecture, landscaping, materials, and site plan for the changes proposed.	HPRC	\$1750.00
MINOR: Windows, awnings, skylights, and similar alterations.	HPRC	\$350.00

Current fees are based on a Fee Study, adopted by the City Council on September 6, 2005.



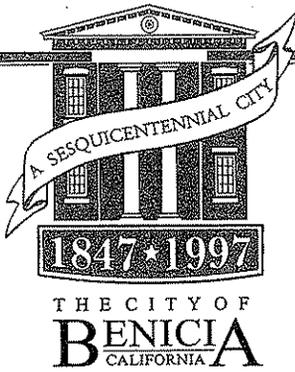
Community Development Department
MEMORANDUM

Date: May 22, 2008
To: Historic Preservation Review Commission
From: Mike Marcus, Assistant Planner
Re: Replacement doors at 700 First Street

On May 8, 2008, the Community Development Department administratively approved the replacement of entrance doors at 700 First Street, commonly known as *Studio 41*.

This approval is exempt from design review under the context of routine maintenance and repair when the replacement retains the same dimension, finish and overall appearance.

Attachment: Approval letter to Ms. Shelhorn



FILE COPY

May 8, 2008

Leah Perry Shelhorn
c/o Studio 41
700 First Street
Benicia, CA 94510

RE: Routine Repair and Maintenance of front door

Ms. Shelhorn:

Thank you for contacting the Community Development Department regarding the need to replace your main entrance door due to deterioration.

Pursuant to the Downtown Historic Conservation Plan, replacement of existing doors are exempt from design review under the context of routine maintenance and repair when the replacement door has the same dimension, finish and overall appearance. Based on the sketch of the door that you submitted, staff is in agreement that your replacement door meets the intent of this provision. Our decision is based on the fact that your proposed door retains a wood finish, maintains the same dimensions and preserves the ratio of glass to wood.

If you have any further questions, please feel free to contact me directly by telephone, (707) 746-4281, or by email, mmarcus@ci.benicia.ca.us.

Best Regards,

Mike Marcus
Assistant Planner
Community Development Department