

**May 23, 2013**

**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION**

**REGULAR MEETING AGENDA**

**City Hall Commission Room**

**Thursday, May 23, 2013**

**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. ADOPTION OF AGENDA:**

**III. OPPORTUNITY FOR PUBLIC COMMENT**

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject matter jurisdiction of the Historic Preservation Review Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda. Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on commissioners, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN COMMENT

B. 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.

## [A. Approval of Minutes of April 25, 2013](#)

### **V. REGULAR AGENDA ITEMS**

#### **A. DESIGN REVIEW REQUEST TO INSTALL A NEW AWNING AT 907 FIRST STREET**

13PLN-00022

APN: 0089-043-130

#### **PROPOSAL:**

The applicant requests design review approval to install a new awning measuring 18-feet 8-inches long by 3-feet 8-inches high, located at 907 First Street. The proposed awning would be located above the front entryway of the restaurant "Nine O Seven Grill" and would be mounted with four bolts.

#### **Recommendation:**

Approve design review request to install a new awning measuring 18-feet 8-inches long by 3-feet 8-inches high, located at 907 First Street, based on the findings and conditions of approval set forth in the draft resolution.

#### **B. MILLS ACT CONTRACT ANNUAL INSPECTION REPORT**

Staff will update the commissioners on the status of the annual Mills Act Contract inspections.

### **VI. COMMUNICATIONS FROM STAFF**

### **VII. COMMUNICATIONS FROM COMMISSIONERS**

### **VIII. 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 agendaized and non-agendaized 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.

### **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. The Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). Technical staff is available from 8:30 - 9:30 a.m. and 1:00 - 2:00 p.m. only. If you have questions/comments outside of those hours, please call 746-4280 to make an appointment. To the extent feasible, the packet is also available on the City's web page at [www.ci.benicia.ca.us](http://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 Commission Room. If you wish to submit written information on an agenda item, please submit to Amy Million, Commission Secretary, as soon as possible so that it may be distributed to the Historic Preservation Review Commission.

 [April 25, 2013 Draft Minutes \(pdf\)](#)

 [907 First Street \(pdf\)](#)

 [Mills Act Compliance \(pdf\)](#)



**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION  
REGULAR MEETING MINUTES**

**City Hall Commission Room  
Thursday, April 25, 2013  
6:30 P.M.**

**I. OPENING OF MEETING**

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**

**Present:**

Commissioners Delgado, McKee, Van Landschoot, von Studnitz and Chair Haughey

**Absent:**

Commissioner Trumbly (excused)

**Staff Present:**

Amy Million, Principal Planner  
Gina Eleccion, Management Analyst  
Stacy McKinney, Recording Secretary

**C. Reference to Fundamental Rights of Public**

**II. ADOPTION OF AGENDA**

On a motion of Commissioner Van Landschoot, seconded by Commissioner von Studnitz, the Agenda was approved by the following vote:

Ayes: Commissioners Delgado, McKee, Van Landschoot, von Studnitz and Chair Haughey  
Noes: None  
Absent: Commissioner Trumbly  
Abstain: None

**III. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN COMMENT**

**None.**

**B. PUBLIC COMMENT**

**None.**

**IV. CONSENT CALENDAR**

On a motion of Commissioner Van Landschoot, seconded by Commissioner McKee, the consent calendar was approved by the following vote:

Ayes: Commissioners Delgado, McKee, Van Landschoot, von Studnitz and Chair Haughey

Noes: None

Absent: Commissioner Trumbly

Abstain: Commissioner von Studnitz – Item IV. B due to absence

**A. Approval of Minutes of January 24, 2013**

**B. Approval of Minutes of April 11, 2013 Joint workshop with Planning Commission**

**V. REGULAR AGENDA ITEMS**

**A. DESIGN REVIEW REQUEST TO REPLACE THE EXISTING SLATE ROOF WITH NEW COMPOSITION SHINGLES AT 932 GRANT STREET**

13PLN-00011 Design Review

932 Grant Street, APN: 0080-150-470

Ms. Million provided a brief overview of the proposal.

Jack Bethards, the property owner, presented the project. Mr. Bethards described the materials and expressed his admiration to all the work done in preservation and commented on the preservation projects he has been involved with.

The roof replacement was discussed in greater detail including the materials and color. The Commission commented on how impressed they were with all the work the applicant put into the application.

No public comment.

**RESOLUTION NO. 13-4 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR A COMPOSITION SHINGLE ROOF AT 932 GRANT STREET (13PLN-00011)**

On motion of Commissioner Delgado, seconded by Commissioner Van Landschoot, the above Resolution was adopted by the following vote:

Ayes: Commissioners Delgado, McKee, Van Landschoot, von Studnitz and Chair Haughey  
Noes: None  
Absent: Commissioner Trumbly  
Abstain: None

**B. MILLS ACT CONTRACT REVISION FOR THE PROPERTY AT 401 FIRST STREET (UNION HOTEL)**

401 First Street, APN: 0080-150-470

Ms. Million provided a brief overview of the proposed contract revision and provided information about the City's Mills Act Program.

Lidia Woytak, the property owner, gave a history of the restoration completed and provided additional information on how she is working hard to maintain and historically preserve the property.

No public comment.

The Commissioners discussed the work plan and requested the following changes;

1. Replacement of all windows including windows 10-15
2. All work to be completed within a 10 year period
3. Modifications to work plan deadlines to include additional window replacements.

Chair Haughey recessed meeting at 7:40pm, so that staff could review the proposed changes with the property owner. The meeting reconvened at 7:45pm.

**RESOLUTION NO. 13-5 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO EXECUTE AN AMENDED MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 401 FIRST STREET**

On motion of Commissioner Delgado, seconded by Commissioner Van Landschoot, the above Resolution was adopted and amendment approved by the following vote:

Ayes: Commissioners Delgado, McKee, Van Landschoot, von Studnitz and Chair Haughey  
Noes: None  
Absent: Commissioner Trumbly  
Abstain: None

**VI. COMMUNICATIONS FROM STAFF**

Staff informed Commissioners that the draft ordinances will be brought back to the Commission. Staff also announced that May is National Preservation Month and Chair Haughey will be in attendance of the City Council's Proclamation. Staff updated Commission on Commissioner's Berry resignation.

**VII. COMMUNICATIONS FROM COMMISSIONERS**

Chair Haughey commented on the procedure for thanking previous Commissioners for their services.

**VIII. ADJOURNMENT**

Chair Haughey adjourned the meeting at 7:55pm

**AGENDA ITEM**  
**HISTORIC PRESERVATION REVIEW COMMISSION MEETING: MAY 23, 2013**  
**REGULAR AGENDA ITEMS**

**DATE** : May 13, 2013

**TO** : Historic Preservation Review Commission

**FROM** : Adam Petersen, Contract Associate Planner

**SUBJECT** : **DESIGN REVIEW REQUEST TO INSTALL AN AWNING AT 907 FIRST STREET**

**PROJECT** : 13PLN-00022 Design Review  
907 First Street  
APN: 0089-043-130

**RECOMMENDATION:**

Approve a design review request to install a new awning measuring 18-feet 8-inches long by 3-feet 8-inches high, located at 907 First Street, based on the findings and conditions of approval set forth in the draft resolution.

**EXECUTIVE SUMMARY:**

The applicant proposes to install a new awning measuring 18-feet 8-inches long by 3-feet 8-inches high, located at 907 First Street. The proposed awning would be located above the front entryway of the restaurant "Nine O Seven Grill" and would be mounted with four bolts. The material consists of a black canvas.

**BUDGET INFORMATION:**

There are no budget impacts associated with this project.

**ENVIRONMENTAL ANALYSIS:**

This project is Categorically Exempt under Section 15331 of the State CEQA Guidelines, Historical Resource Rehabilitation. Class 31 applies to projects that are limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

**BACKGROUND:**

Applicant / Owner: Randy Ramos / William Fischman  
General Plan designation: Commercial - Downtown

Zoning designation:	Town Core
Existing / Proposed use:	Restaurant
Adjacent zoning and uses:	
North:	Town Core, Restaurant
East:	Neighborhood General - Open, Office/Retail
South:	Town Core, Vacant
West:	Town Core, Residential

The subject property lies inside the Downtown Historic District on the west side of First Street between West I Street and West J Street.

**SUMMARY:**

The applicant proposes a black canvas awning over the entryway. The awning measures 18-feet 8-inches long by 3-feet 8-inches high at the section placed against the wall. It extends five feet from the wall and would provide the business with screening from the sun through the upper clearstory windows. The awning consists of a matte black canvas type material. The awning tapers to a 10 inch fascia at the front. The words "Nine O Seven Grill" are proposed on this fascia. However, this request does not include evaluation of the signage. Signage will be processed under a separate permit at a later date.

Figure 1 provides an image of the property in its existing condition:

Figure 1 – Existing Conditions



Downtown Historic Conservation Plan

The Downtown Historic Conservation Plan provides Design Guidelines for all categories of designated historic residential buildings. The guidelines are intended to guide alterations and construction projects. Staff has determined that the proposed project is consistent with the following guidelines.

Consistency with the Downtown Historic Conservation Plan			
Design Guidelines for Commercial Building Types			
Chapter 4 – Commercial Buildings – Upper First Street			
Policy 1	Scale, Proportion, and Façade Composition Retain traditional façade elements and proportions of the façade composition and repeat them in new or renovated buildings		
	Guideline 1.9	Use simple awning shapes and profiles which reflect the façade composition and geometry of the building, set individual awnings between the vertical elements of the ground floor storefront such as piers, pilasters, shop divisions, second floor entries and the like.	<i>The proposal is to place an awning over the entryway of 907 First Street. The awning is a simple rectangular shape that tapers from a 3-feet - 8-inches tall back against the building to a 10-inch fascia in the front over a 5-foot extension from the building. The applicant proposes to place the awning between the vertical shop divisions on either side of the windows.</i>
	Guideline 1.10	Do not obscure architectural elements with careless placement of awnings. Use awnings on second floors only at individual window openings.	<i>The awning would cover the upper row of windows on the first floor. These small windows are located above the large bay windows along the front façade. However, these are the only architectural elements that would be covered, and the awning would not extend to the second floor.</i>

Consistency with the Downtown Historic Conservation Plan			
Design Guidelines for Commercial Building Types			
Chapter 4 – Commercial Buildings – Upper First Street			
Policy 7	Architectural Projections Allow encroachments in the public right-of-way which add visual interest to building facades and the street without creating obstructions to pedestrian movement or visual disruption of the street wall.		
	Guideline 7.3	Awnings are encouraged and allowed to project into the street right-of-way (but not alleys) subject to the provisions of the Uniform Building Code.	<i>The awning would project from the building 5-feet outwards into the right-of-way. The applicant would be required to apply for a building permit and thereby conform to the Uniform Building Code.</i>
	Guideline 7.4	Awnings may be retractable or fixed frames, constructed of	<i>The awning is a fixed frame and is mounted with four bolts. The covering is a black fabric. No glossy plasticized or vinyl materials are</i>

		metal with fabric covering. Glossy, plasticized or vinyl finishes are inappropriate for coverings.	proposed.
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As mentioned above, the Downtown Historic Conservation Plan generally encourages awnings that are placed at appropriate locations on buildings, are composed of the appropriate material, and have the correct amount of signage.

Secretary of the Interior's Guidelines for Rehabilitation "Standards"

Of the four sets of guidelines for historic properties, those pertaining to rehabilitation are the most applicable to the proposed project. The State Office of Historic Preservation defines rehabilitation 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."

According to the Standards, additions that preserve those portions or features that convey the historical, cultural or architectural values constitute rehabilitation. The historic features identified by Carol Roland of Roland-Nawi Associates include the following:

- An Italianate store front building.
- A false front with a pediment supported on brackets.
- It has a paneled cornice.
- Upper story windows are paired one-over-one double hung with bracketed pediments and sills.
- At the first floor level a typical store front occupies most of the north side of the façade while an entry to the second story is found on the south side.
- The storefront has a central door with canted store front windows. The second story entry is slightly recessed and has a transom.
- The building is clad with clapboard.

As discussed, the proposed awning allows the structure to retain the historical features identified. The proposed awning would not degrade the form and design of these character-defining features.

**CONCLUSION:**

In summary, staff finds the proposed awning complies with the Downtown Historic Conservation Plan and the Secretary of Interior Standards as discussed in an attachment to this staff report and staff recommends the Historic

Preservation Review Commission approve the proposed project, based on the findings and conditions contained in the draft resolution.

**FURTHER ACTION:**

The decision of the Historic Preservation Review Commission may be appealed to the Planning Commission within ten (10) business days.

Attachments:

- Draft Resolution
- Analysis of the Project Compliance with the Secretary of the Interior's Standards for Reconstruction
- Project Plans

# **DRAFT RESOLUTION**

**RESOLUTION NO. 13- (HPRC)**

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION  
OF THE CITY OF BENICIA APPROVING A DESIGN REVIEW FOR THE  
INSTALLTION OF AN AWNING AT 907 FIRST STREET (13PLN-00022)**

**WHEREAS**, On April 15, 2013, Randy Ramos, requested design review approval to install an awning at 907 First Street; and

**WHEREAS**, 907 First Street is a locally designated historic structure and is listed as a contributing building in the Downtown Historic Conservation Plan; and

**WHEREAS**, the Historic Preservation Review Commission, at a regular meeting on May 23, 2013, 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 finds that:

- a. The proposed project is Categorically Exempt under Section 15331 of the CEQA Guidelines. Class 31 allows projects limited to maintenance, repair, stabilization, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.
- b. The proposed project is consistent with the purpose of the Benicia Municipal Code title 17.108 Design Review.

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

1. This approval shall expire two years from the date of approval, unless made permanent by the issuance of a building permit and the commencement of work that is diligently pursued to completion. Alternatively, the time period may be extended, by the Community Development Director, if the application for time extension is received prior to the end of the initial two year deadline and there has been no change in the City's development policies which affect the site, and there has been no change in the physical circumstances nor new information about the project site which would warrant reconsideration of the approval.
2. The plans submitted for the building permit and construction shall substantially comply with the sample board date stamped received April 15, 2013 except as modified by the following conditions. Any change from the this approval including substitution of materials, shall be requested in writing and approved by the

Community Development Director, or designee, prior to changes being made in the field.

3. All construction shall be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
4. The Historic Building Code shall be applied to the project at the discretion of the Community Development Department.
5. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
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's, Historic Preservation Review Commission 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 Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the above Resolution was adopted at a regular meeting of the Historic Preservation Review Commission on May 23, 2013, by the following vote:

- Ayes:
- Noes:
- Absent:
- Abstain

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Toni Haughey  
Historic Preservation Review Commission Chair

**ANALYSIS OF THE PROJECT COMPLIANCE WITH  
THE SECRETARY OF THE INTERIOR'S STANDARDS  
FOR REHABILITATION**

**Secretary of the Interior's Standards for Rehabilitation  
Analysis of Proposed Project (13PLN-00022)  
907 First Street, Benicia, CA**

**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.

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, rehabilitation may be considered as a treatment.

The bolded text is the applicable Secretary of the Interior's Standards for Rehabilitation guidelines. The regular text is staff's response about how the particular guideline or policy relates to the proposed project.

- 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.**

The property will continue its use as a commercial use and does not require change to the character defining features to meet operational needs.

The proposed project meets this Standard.

- 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.**

The project does not include the removal of features and spaces that characterize the property. The large bay windows are still visible as well as the second story windows.

The proposed project meets this Standard.

- 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.**

The proposed change does not add architectural elements from other buildings, nor does it create a false sense of historical development because the awning does not necessarily have historical context.

The proposed project meets this Standard.

**4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.**

The awning will not alter any historical features that the property has acquired over time. The proposed project will install an awning that involves placing four bolts on the building façade. The exterior features will remain in place on the building.

The proposed project meets this Standard.

**5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**

The proposed project does not remove a distinctive feature, finishes and construction techniques.

The proposed project meets this Standard.

**6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires 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.**

The project does not involve the repair of historic features; nor are historic features deteriorated.

The proposed project meets this Standard.

**7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

No chemical or physical treatments are planned.

The proposed project meets this Standard.

**8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

No significant archeological resources are anticipated but mitigation measures will be undertaken if applicable.

The proposed project meets this Standard.

**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 of the new awning will be mounted with four bolts. These bolts can be removed and the siding materials repaired. The awning is compatible with the massing, size, scale and architectural features because it is placed between two vertical elements on either side of the windows and covers a balanced portion of the front façade. The awning does not dominate the building façade, and leaves the entire second story unaltered thereby sustaining and conveying the historic context of the structure.

The proposed project meets this Standard.

**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.**

The awning can be removed in the future and the holes used to mount the structure can be patched.

The proposed project meets this Standard.

**DPR FORM 523 A**

State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

Primary #: \_\_\_\_\_  
 HRI # \_\_\_\_\_  
 Trinomial \_\_\_\_\_  
 NRHP Status Code: \_\_\_\_\_  
 Other Listings \_\_\_\_\_  
 Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

\*Resource Name or #: 905 First Street

- P1. Other Identifier:
- \*P2. Location: \*a. County Solano
- b. Address: 905 First Street
- \*c. City: Benicia Zip 94510
- d. UTM: N/A
- e. USGS Quad: Benicia T2N R3W MDM
- \*f. Other Locational Data (APN #): 89-043-13

\*P3a. Description

This is a two-story Italianate store front building. It has a false front with a pediment supported on brackets. It has a paneled cornice. Upper story windows are paired one-over-one double hung with bracketed pediments and sills. At the first floor level a typical store front occupies most of the north side of the façade while an entry to the second story is found on the south side. The storefront has a central door with canted store front windows. The second story entry is slightly recessed and has a transom. The building is clad with clapboard. It is one of four contiguous buildings from the late 19<sup>th</sup> century that remain in the block and provide a strong feeling of a 19<sup>th</sup> century commercial street front.

\*P3b. Resource Attributes: HP6

\*P4. Resources Present:  Building  Structure  Object  Site  District  Element of District

P5b. Description of Photo:

Front façade, view west

\*P6. Date Constructed/Age: 1890

Prehistoric  Historic  Both

\*P7. Owner and Address:

Jack Fischman Family  
 1215 Waterview Drive  
 Mill Valley, CA

\*P8. Recorded by:  
 Carol Roland  
 Roland-Nawi Associates  
 4829 Crestwood Way  
 Sacramento, CA 95822

\*P9. Date Recorded: 11-20-04

\*P10. Type of Survey:  Intensive  
 Reconnaissance  Other

Describe Eligibility Evaluation

\*P11. Report Citation: none

\*Attachments:  NONE  Map Sheet  Continuation Sheet  Building, Structure, and Object Record  Linear Resource Record  Archaeological Record  District Record  Milling Station Record  Rock Art Record  Artifact Record  Photograph Record  Other (List):

P5. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



**BUILDING, STRUCTURE, AND OBJECT RECORD**

\*Resource Identifier: 905 First Street

\*NRHP Status Code: 3D

B1. Historic Name: N/A

B2. Common Name:

B3. Original Use: commercial

B4. Present Use: commercial

\*B5. Architectural Style: Italianate Store Front

B7. Moved?  No  Yes  Unknown

Date: N/A Original Location: same

\*B8. Related Features: None

B9a. Architect: unknown

B9b. Builder: unknown

\*B10. Significance: Theme: Benicia Downtown District Period of Significance: 1847-1940

Property Type Commercial Applicable Criteria: A / C

The building retains most of its character defining features including its false front parapet, elaborate cornice, fenestration, and store front with a separate side entrance. The building has integrity of materials, design, workmanship, setting and location. Its significance is enhanced by the fact that it is part of a continuous block of surviving 19<sup>th</sup> century commercial buildings. It contributes to the Downtown Historic District and should continue to enjoy that status.

B11. Additional Resource Attributes: N/A

B12. References: McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred Knopf (1986); Bruegmann, Robert. *Benicia Portrait of an Early California Town: An Architectural History* (San Francisco: 101 Productions (1980); Woodbridge, Sally and Cannon Design Group. *Benicia, California: Downtown Historic Conservation Plan*. City of Benicia, 1990; Sanborn Map Benicia, CA. 1886; 1986 Benicia Historic Inventory form.



# **PROJECT PLANS**

**SUNSHADE AWNING COMPANY, INC.**

1037B SHARY CIRCLE  
CONCORD, CA 94518  
925-685-7167  
FAX 925-685-1557

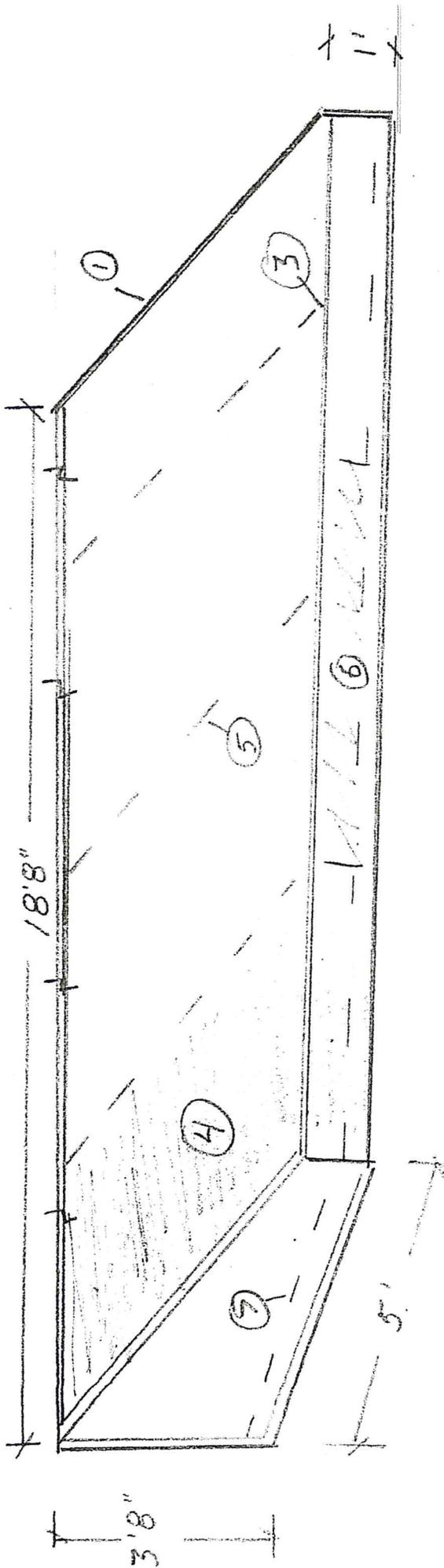
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***NINE O SEVEN GRILL  
907 FIRST STREET  
BENICIA***

- 1) WELDED MAIN FRAME MADE FROM 1 " GALV. STEEL TUBE, 16 GAUGE
- 2) HANGERS ( SEE DETAIL "CONNECTION 'A' )
- 3) ALL JOINTS GROUND SMOOTH AND PAINTED BLACK.
- 4) COVER MADE FROM SUNBRELLA MATERIAL, #4608 BLACK
- 5) SPACERS MADE FROM 1" GALV. STEEL TUBE.
- 6) LETTERING AREA ( SEE LAYOUT ATTACHED )
- 7) TIE BAR 1/2" TUBE TO LACE OFF CANVAS TO FRAME





SUNSHADE AWNING CO., INC  
 1037 B SHARY CIRCLE  
 CONCORD, CA 94518  
 925-685-7167 FAX 685-1557  
 1-800-827-7284



  
NINE O SEVEN  
GRILL

NINE O SEVEN

CLOSED



Community Development Department  
**MEMORANDUM**

**Date:** May 14, 2013  
**To:** Historic Preservation Review Commission  
**From:** Amy Million, Principal Planner  
**Re:** Mill Act Compliance Report

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As part of the Mills Act Program Requirements, the City is responsible for performing annual inspections of each Mills Act property. For 2012, inspections were performed on various days from January to May. As a result of the inspections, staff will be contacting any property owners with maintenance or work plan issues to ensure compliance with their contracts.

The report is presented to the Commission for their review and comment. No action is required.

Attachment:

- Mills Act Inspection Spreadsheet

## MILLS ACT ANNUAL INSPECTION REPORT January 1 - December 31, 2012

Address	Year Entered	Property owner annual Report		Inspection performed	Compliance w/ Exhibit B	Compliance w/ Exhibit C	Compliance Letter		Notes/Comments
		Mailed	Received				Mailed	Response Received	
M - Denotes "Maintenance Only" contract				Date	yes/no	yes/no	Mailed	Response Received	
185 East D Street - <b>M</b>	2004	11/26/12	01/04/13	02/18/13	yes	N/A	03/22/13	N/A	Completed 2012: Property well maintained. Upcoming 2013: Continue property maintenance
120 West D Street	2007	11/26/12	01/02/13	02/18/13	yes	yes	05/16/13	N/A	Completed 2012: No work plan items Upcoming 2013 : Rehabilitate garage and replace garage door. Landscaping to be completed in 2015
123 West D Street - <b>M</b>	2005	11/26/12		02/18/13	yes	N/A	03/22/13	N/A	Completed 2012: Property well maintained. Upcoming 2013: Continue property maintenance
401 First Street	2004	11/26/12	01/07/13	02/18/13	yes	no (property owner is requesting a revision)	N/A	N/A	Outstanding 2011/2012: Replacement of (6) windows #4-9 on West D Street. Upcoming 2013 : Pending revision of contract
1025 West Second Street	2007	11/26/12	01/02/13	05/14/13	yes	yes	05/16/13	N/A	Completed 2011: New foundation Upcoming 2012: Develop and install low maintenance landscape plan for front yard
1101 West Second Street	2009	11/26/12	01/09/13	05/14/13	yes	yes	05/16/13	N/A	Completed 2012: Asbestos and pest abatement, landscaping, window and shingle repair material purchased. Upcoming 2013: Complete repair to window and shingle siding on West K façade
141 West F Street	2008	11/26/12	01/23/13	02/28/13	yes	yes	04/03/13	N/A	2012: No work plan items until 2014; work plan reschedule revised Upcoming 2014: Replace front yard fence
140 East G Street	2007	11/26/12	12/14/13	02/28/13	yes	yes	04/03/13	N/A	Completed 2012: Foundation work complete; no work plan items until 2017 Upcoming 2017: Cosmetically repair and stabilize front retaining wall
149 West G Street	2006	11/26/12		02/18/13	yes	yes	04/03/13	N/A	Completed 2012: Property well maintained Upcoming 2013: Repair or replace existing fencing surround the property
159 West G Street - <b>M</b>	2006	11/26/12	01/03/13	02/28/13	yes	N/A	04/03/13	N/A	Completed 2012: Property well maintained Upcoming 2013: Continue property maintenance

Address	Year Entered	Property owner annual Report	Inspection performed	Compliance w/ Exhibit B	Compliance w/ Exhibit C	Compliance Letter	Notes/Comments
166 West H Street - M	2004	11/26/12	01/25/13	yes	N/A	04/03/13	Completed 2012: Property well maintained. Upcoming 2013: Continue property maintenance
		11/26/12	01/02/13	yes	yes	05/16/13	Ongoing 2012: Complete repair of concrete retaining wall in 2013 Upcoming 2015: Replace small aluminum window on east side
141 West H Street	2007			yes	yes		Outstanding 2012: Repair dry rot on front porch columns and steps, reface garage door with siding to match house, replace front window, replace wood retaining wall along front property line, replace aluminum windows Upcoming 2013: Repair front porch, exterior painting
171 West H Street	2007	11/26/12	02/18/13	yes	no	Letter will be sent	Completed 2011/2012: Investigate chimney repair. No work plan items until 2013 Upcoming 2013-2015: Repair or replace side porch
271 West G Street (previously 270 West H Street)	2007	11/26/12	02/04/13	yes	yes	05/16/13	Completed 2012: Property well maintained
125 East I Street	2006	11/26/12	01/07/13	yes	yes	05/16/13	Upcoming 2013: Replace side and back yard fence, landscaping and reroof if necessary Outstanding 2011/2012: Property needs general maintenance for trash/debris. Restoration of exposed channel siding and replacement/restoration of trim details, rebuild the wood porch, rebuild retaining wall in front of property, repaint the structure, remove foundation skirt and replace with approved siding Upcoming 2013: All work plan items pending completion
145 East I Street	2006	11/26/12	12/18/13	no	no	Letter will be sent	Completed 2012: Property well maintained
182 East I Street - M	2009	11/26/12	02/28/13	yes	N/A	04/03/13	Upcoming 2013: Continue property maintenance
224 West I Street - M	2007	11/26/12	12/17/13	yes	N/A	05/16/13	Completed 2012: Property well maintained Upcoming 2013: Continue property maintenance
242 West I Street	2007	11/26/12	05/14/13	no	no	05/16/13	Outstanding 2011/2012: Paint exterior, repair wood sash windows, replacing missing front porch components, replacement missing architectural details Upcoming 2013: All remaining work plan items pending completion

Address	Year Entered	Property owner annual Report	Inspection performed	Compliance w/ Exhibit B	Compliance w/ Exhibit C	Compliance Letter	Notes/Comments
121 West J Street - M	2004	11/26/12	05/14/13	yes	N/A	05/16/13	Completed 2012: Property well maintained
		12/31/13				N/A	Upcoming 2013: Continue property maintenance
		01/02/13		yes	yes	05/16/13	Completed 2012: Property well maintained
155 West J Street	2008	11/26/12	05/14/13	yes	yes	05/16/13	Upcoming 2013: Exterior paint, window repair
		01/02/13				N/A	Completed 2012: Property well maintained
		01/02/13		yes	N/A	05/16/13	Upcoming 2013: Continue property maintenance
163 West J Street - M	2006	11/26/12	05/14/13	yes	N/A	05/16/13	Completed 2012: Property well maintained; front stairs need maintenance & painting
							Upcoming 2013: Repair and paint front steps and continue property maintenance
				yes	N/A	05/16/13	Completed 2012: Renovate/Upgrade front landscaping
251 West J Street - M	2004	11/26/12	05/14/13	yes	N/A	05/16/13	Upcoming 2013: Rehabilitate front porch deck, railing and stairs
						N/A	Completed 2012: Repair and paint newel posts and railings on front entry steps, repair and paint front steps.
				yes	yes	05/16/13	Upcoming 2013: Re-finish original front door
271 West J Street	2008	11/26/12	05/14/13	yes	yes	05/16/13	Outstanding 2012: Replace windows on the south facing (front) side of house
		12/19/13					Upcoming 2012: Landscape backyard, Replace windows and sliding door on the north facing (back) side of house. Includes replacement of two (2) horizontally oriented windows with four (4) vertical windows
		01/09/13		yes	no	05/16/13	Completed 2012: Property well maintained
395 West J Street	2010	11/26/12	05/14/13	yes	yes	05/16/13	Upcoming 2013: Continue property maintenance
						N/A	Completed 2012: Landscaping
				yes	N/A	04/03/13	Upcoming 2013: Landscaping continues on side and backyard; continue property maintenance
441 West J Street	2008	11/26/12	05/14/13	yes	yes	05/16/13	Completed 2012: Property well maintained
							Upcoming 2013: Continue property maintenance
				yes	yes	05/16/13	Completed 2012: Property well maintained
1063 Jefferson Street - M	2005	11/26/12	05/18/13	yes	N/A	04/03/13	Completed 2012: Landscaping
							Upcoming 2013: Landscaping continues on side and backyard; continue property maintenance
				yes	yes	05/16/13	Completed 2012: Property well maintained
230 West K Street	2004	11/26/12	02/18/13	yes	yes	05/16/13	Upcoming 2013: Continue property maintenance
		12/03/13				N/A	Completed 2012: Property well maintained
		12/03/13		yes	N/A	05/16/13	Upcoming 2013: Continue property maintenance
245 West K Street - M	1990	11/26/12	02/18/13	yes	N/A	05/16/13	Completed 2012: Property well maintained
							Upcoming 2013: Complete landscaping and continue property maintenance
				yes	N/A	05/16/13	Completed 2012: Property well maintained
235 East L Street - M	1990	11/26/12	02/18/13	yes	N/A	05/16/13	Upcoming 2013: Complete landscaping and continue property maintenance
							Completed 2012: Property well maintained
				yes	N/A	05/16/13	Upcoming 2013: Complete landscaping and continue property maintenance