



**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION  
CITY HALL COMMISSION ROOM**

**REGULAR MEETING MINUTES**

**Thursday, May 24, 2007  
6:30 P.M.**

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

**B. Roll Call of Commissioners**

Present: Commissioners Conlow, Donaghue, Haughey, Mang, White, and Chair Delgado  
Absent: Vice Chair Wilson (excused)

Staff Present:

Charlie Knox, Community Development Director  
Xzandrea Fowler, Associate Planner  
Stacy Hatfield, 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. CONSENT CALENDAR**

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

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang & Chair Delgado  
Noes: None  
Absent: Vice Chair Wilson  
Abstain: Commissioner White

**A. Approval of Agenda**

**B. Approval of Minutes of May 3, 2007**

**IV. REGULAR AGENDA ITEMS**

**A. 126 EAST E STREET – Continued from May 3, 2007  
06PLN-52 Design Review  
126 East E Street; APN: 89-372-050**

**PROPOSAL:**

The applicant is proposing demolition of a designated Potential Contributing Building to the Historic District, relocation to the site of a historic structure from Napa, which would be lifted above a new first floor; and an addition of a third floor deck to the structure.

**Recommendation: Historic Preservation Review Commission re-open the public hearing, receive public testimony and other relevant documents, and make a recommendation to the Planning Commission on the adoption of the Initial Study/Mitigated Negative Declaration; 2) determine whether the designated structure has substantial historical, architectural or cultural interest or value; 3) and approve or deny the demolition permit; the relocation of a historic structure from the City of Napa to the Historic Overlay District; and design review permit.**

Commissioner Conlow was appointed temporary Chair to replace Chair Delgado who had to recuse himself from this agenda item.

John Van Landschoot, 175 West H – He wanted clarification on whether Commissioner Donaghue should have to leave the room during discussion of this agenda item since it is his project. Charlie Knox, Community Development Director, said that legally, Commissioner Donaghue does not have to leave the room.

Xzandrea Fowler, Associate Planner, gave an overview of the project.

Charlie Knox suggested that the applicant and the Commission may want to postpone action on the design review request until the historic survey update process, that may delist the property, has been completed.

Chair Conlow opened the public hearing.

Vikki Tucker, ARC Inc. Architects, 560 First Street – She stated that the Initial Study/Mitigated Negative Declaration should be revised and re-circulated and they requested that this item be continued in order to allow this to happen. They would like to work with the Community Development Director to reschedule the meeting for a more appropriate time.

Written comments were received from Leann Taagapera dated May 23, 2007.

Bob Berman, 250 West K St. – He is concerned with the accuracy of the environmental document for this project. He thinks neglect of a property should not have an impact on whether a property ultimately becomes delisted.

Janine Seeds 775 West K St. – She wanted clarification on exactly what the applicant was requesting to continue. She wanted to know what the consequences are for a property owner that neglects their historic property. Charlie Knox explained that if you have a Mills Act Contract on your property that you could lose the tax benefit if the property was not maintained.

Commissioner Haughey referenced Section 17.54.120 of the Benicia Municipal Code titled Maintenance of Structures and Premises.

Don Dean, 257 West I St. – He had questions on how the Downtown Mixed Use Master Plan could affect the review of the proposed project.

Gretchen Burgess, 28 Buena Vista – She doesn't think this house is a historic structure. She thinks the structure is ugly and would be improved by the proposed project.

Donnell Rubay, 175 West H St.– She thinks this proposal fails to comply with the Downtown Historic Conservation Plan and does not comply with the law. She discussed the issue of compatibility and how structures impact the area around them.

John Van Landschoot, 175 West H St. – He believes the existing property at 126 East E Street is in the same category as the Robert Semple building and should be renovated.

Sandra Shannonhouse – 110 East E St. – She stated that her house was in far worse condition when she purchased it in 1975 and she believes that any building can be saved.

Chair Conlow closed the public hearing.

Commissioner Haughey asked staff if the building from Napa was designated historic. Xzandrea Fowler stated that the building was an old building, but not a designated historic resource.

On motion of Commissioner White, seconded by Commissioner Haughey, the HPRC Commission voted to continue the item until the recommendations by Carol Roland, regarding the designation status of properties within the Historic Overlay District, have been reviewed and approved by City Council. The motion was approved by the following vote:

Ayes: Commissioners Conlow, Haughey, Mang and White  
Noes: None  
Absent: Vice Chair Wilson  
Abstain: Commissioners Donaghue and Chair Delgado

**B. WINDOW REPLACEMENT IN HISTORIC OVERLAY DISTRICT WITHOUT PROPER APPROVAL/PERMITS – Discussion on window replacements done without the proper approval or permits.**

Staff explained that they have been receiving complaints about property owners in the historic district removing windows and doors without going through design review and getting the appropriate permits. Staff would like direction from the Commission on how they should proceed on this issue.

Commissioner Haughey believes that a lot of homeowners are unaware of the modifications that can and cannot be made to their homes in the historic district. She suggested that staff send a letter to property owners educating them on this issue.

Commissioner Conlow believes that contractors are aware of the type of work that require permits and believes that the City can help put a stop to this problem by contacting the State Contractors License Board if a contractor does not get the appropriate approvals prior to doing the work.

The Commissioners discussed over-the-counter review and approval of replacement doors and windows as long as the replacements were in-kind .

The Commission directed staff to draft a letter to property owners in the Historic District that informs them of the regulations that apply to their properties .

No public comment.

**V. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner White reminded staff that he would like someone to make a presentation to the Commissioners on CEQA and historic preservation.

**VI. COMMUNICATIONS FROM STAFF**

**A. STATUS OF PRIORITY DISCUSSION ITEMS**

Xzandrea Fowler asked whether the Commissioners had any questions about the memo included in their packets from Gina Eleccion titled Status of Priority List of Discussion Items. Chair Delgado wanted to know if the top two projects were under way. Xzandrea updated the Commissioners on the status of various issues.

Chair Delgado suggested that we may want to approve a selection of historic paint colors for homeowners to choose from so that they can be sure the color they select is approved. Chair Delgado will get paint brochures for staff to look at.

**VII. ADJOURNMENT**

Chair Delgado adjourned the meeting at 8:10pm