

# **BENICIA HISTORIC PRESERVATION REVIEW COMMISSION**

## **CITY HALL COMMISSION ROOM**

### **REGULAR MEETING AGENDA**

**Thursday, June 24, 2010**

**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 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 council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

**A. WRITTEN**

**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 May 27, 2010**

**B. 153 WEST E STREET - \* Public Hearing**

10PLN-29 Design Review

153 West E Street, APN: 089-173-110

**PROPOSAL:**

The applicant requests design review approval for exterior modifications to the front façade of the existing Craftsman style, non-contributing building located within the boundaries of the Downtown Historic District. The zoning designation is Neighborhood General (NG). The proposed modifications include permitting the second story railing, replacing two windows on the second story front façade with two new wood doors, removal of the fountains, and adding two new decorative streetlights.

**Recommendation:** Approve design review request for exterior modifications to the front façade of the existing bed and breakfast located at 153 West E Street, based on the findings and conditions of approval set forth in the proposed resolution.

**V. REGULAR AGENDA ITEMS**

**A. 271 WEST J – NEW CARPORT AND MODIFICATION TO FRONT PORCH**

10PLN-25 Design Review

271 West J Street, APN: 0087-162-160

**PROPOSAL:**

The applicant requests design review approval to construct a new 600 square foot carport in the rear yard and modification of the front porch of an existing single-

family residence. The existing residential building is designated as a contributing building to the Downtown Historic District.

**Recommendation:**

Approve design review request to construct a new 600 square foot carport in the rear yard and modification of the front porch of an existing single-family residence, based on the findings and conditions of approval set forth in the proposed resolution.

**B. BUDGET/PRIORITIZATION SURVEY**

As part of the ongoing effort to meet the City Council's desire to educate and engage the public on identifying solutions to the City's current fiscal condition, staff has developed a short Citizen Survey. The attached Citizen Survey is modeled after one used by the City of Concord, which was used to solicit community input on City services and assist staff and Council members in making informed decisions to address budget deficits.

**Recommendation:**

Fill out the survey prior to the meeting and discuss with staff.

**C. MILLS ACT COMPLIANCE REPORT**

A report on the annual inspections of Mills Act properties is presented to the Commission for review.

**D. MILLS ACT PROGRAM GUIDELINES** – Discussion of overall program to ensure guidelines meet the intent of the program.

**Recommendation:** Review the Mills Act Program Guidelines, and make recommendations, if any, to the City Council for updates to the program.

**VI. COMMUNICATIONS FROM STAFF**

**A. WINDOW STANDARDS**

Staff will provide a copy of Resolution No. 10-4, window standards, adopted by the Commission at the May 27, 2010 meeting.

**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 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.

### **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](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 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.

**AGENDA ITEM**  
**HISTORIC PRESERVATION REVIEW COMMISSION MEETING: JUNE 24, 2010**  
**CONSENT CALENDAR**

**DATE** : June 10, 2010

**TO** : Historic Preservation Review Commission

**FROM** : Sharon Williams, Development Services Technician

**SUBJECT** : **DESIGN REVIEW FOR EXTERIOR MODIFICATIONS TO THE FRONT FAÇADE OF 153 WEST E STREET**

**PROJECT** : 153 West E Street  
10PLN-00029 Design Review  
APN: 089-173-110

**RECOMMENDATION:**

Approve design review request for exterior modifications to the front façade of the existing bed and breakfast located at 153 West E Street, based on the findings and conditions of approval set forth in the proposed resolution.

**EXECUTIVE SUMMARY:**

The applicant requests design review approval for exterior modifications to the front façade of the existing Craftsman style non-contributing building located within the boundaries of the Downtown Historic District. The zoning designation is Neighborhood General (NG). The proposed modifications include permitting the second story railing, replacing two windows on the second story front façade with two new wood doors, removal of the fountains, and adding two new decorative streetlights.

**BUDGET INFORMATION:**

No budget impacts.

**ENVIRONMENTAL ANALYSIS:**

Staff has reviewed the project and determined that it is Categorically Exempt under Section 15301 of the CEQA Guidelines. This exemption permits minor alterations to existing structures involving negligible or no expansion of use.

**BACKGROUND:**

Applicant/Owner: Steven David

General Plan designation/Zoning: Neighborhood General (NG)

Existing use: Bed and Breakfast

Proposed use: Bed and Breakfast

Adjacent zoning and uses:

North: Neighborhood General (NG), Residential

East: Neighborhood General (NG), Residential

South: Town-Core Open (TC-O), Residential

West: Neighborhood General (NG), Residential

## SUMMARY:

### A. Project Description

The site measures 40 feet by 125 feet and is developed with a Craftsman style six-guest room bed and breakfast. The subject building consists of a ground floor, first floor, and second floor. The ground floor was built as the foundation for the first and second floors, which were once the west wing of the Anderson Hotel.

The proposed project involves approval for the existing second story railing, replacing two of the second story windows with wood doors, removal of the fountains, and installing two decorative streetlights.

*Railing:* The previous owner installed the existing railing located on the second story without obtaining the proper permits. The applicant is seeking approval after the fact for the railing so he can obtain a building permit. The railing is constructed of wood and is 42" high.

*Doors:* The second story currently has three windows facing the front façade. The proposal includes replacing the east and west side windows with new Anderson wood doors. The center window will remain as is. The new doors would match the existing doors on the lower floors.

*Fountains:* The applicant proposes to remove the existing fountains and saw mill decorative piece. The wood siding will be replaced to match the existing siding once the sawmill is removed.

*Decorative Streetlights:* Two metal-cast decorative streetlights are proposed to be installed where the fountains are currently located. The decorative lights measure 11-feet in height and are consistent with other decorative lighting in the historic district. The light poles will be painted flat black.

### B. Project Analysis

#### 1. General Plan Consistency

Benicia General Plan Goal 3.1 is to *Maintain and enhance Benicia's historic character*. That goal can be achieved by *permitting new development, remodeling and building renovation in historic districts when consistent with the policies of the applicable Historic Conservation Plan (Policy 3.1.5)*.

This project is consistent with General Plan Goal 3.1 in that it allows for building modifications that are compatible with the downtown historic district.

2. Zoning Ordinance Consistency

The subject property is located in the Neighborhood General (NG) zoning district. The building meets all of the setback requirements for the zoning district. No expansion to the subject building is proposed.

3. Downtown Historic Conservation Plan Consistency

According to the DHCP design guidelines, specifically for commercial buildings (transitional areas):

- *The use of historic, period style light fixtures is encouraged for exterior illumination. (Guideline 2.1)*
- *Use individually framed window and door openings, which are vertically oriented. (Guideline 2.4)*

The property is zoned Neighborhood General (NG) according to the Downtown Mixed Use Master Plan (DMUMP), and is primarily surrounded by residential uses, with First Street just east of the site. The bed and breakfast is currently listed as a non-contributing building to the Downtown Historic District.

4. Findings

The Historic Preservation Review Commission finds that:

- a) The proposed development is consistent with the objectives and provisions of Title 17 of the Benicia Municipal Code and the purposes of the Downtown Mixed Use Master Plan (DMUMP), Neighborhood General (NG) zoning district, and Historic Conservation Plan policies and design guidelines.
- b) The proposed project and the proposed conditions of approval will be consistent with the General Plan and with Title 17 of the Benicia Municipal Code and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city;
- c) The proposed modifications to the exterior façade will comply with the provisions of Title 17 (Benicia Zoning Ordinance), including specific conditions required for use in the district in which it will be located.

C. Conclusion

Although the subject building is not listed as a historic resource and therefore not evaluated as such, the work proposed will not diminish the historic integrity of the Historic District. The proposed exterior changes are consistent with the DHCP, DMUMP, and City of Benicia Zoning Ordinance.

**FURTHER ACTION:**

The Historic Preservation Review Commission's action will be final unless appealed to the Planning Commission within ten business days.

Attachments:

- Draft Resolution
- Project Plans
- Photographs

## **PROPOSED RESOLUTION**

**RESOLUTION NO. 10- (HPRC)**

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION  
OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR EXTERIOR  
MODIFICATIONS TO THE FRONT FAÇADE OF 153 WEST E STREET**

**WHEREAS**, Steven David has requested Design Review approval for exterior modifications to the front façade at 153 West E Street; and

**WHEREAS**, the Historic Preservation Review Commission at a regular meeting on June 24, 2010, conducted a public hearing and reviewed the proposed project;

**WHEREAS**, in accordance with state and local procedures regarding the California Environmental Quality Act (CEQA), the Public Works & Community Development Department has concluded that the proposed project is Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Historic Preservation Review Commission of the City of Benicia hereby finds that:

- a) The proposed development is consistent with the objectives and provisions of Title 17 of the Benicia Municipal Code and the purposes of the Downtown Mixed Use Master Plan (DMUMP), Neighborhood General (NG) zoning district, and Historic Conservation Plan policies and design guidelines.
- b) The proposed project and the proposed conditions of approval will be consistent with the General Plan and with Title 17 of the Benicia Municipal Code and will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of the proposed use, nor detrimental to properties or improvements in the vicinity or to the general welfare of the city;
- c) The proposed modifications to the exterior façade will comply with the provisions of Title 17 (Benicia Zoning Ordinance), including specific conditions required for use in the district in which it will be located.

**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 Public Works & 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 and maps submitted for approval, except as modified by these conditions of approval, shall be in substantial compliance with the plans dated received "April 21, 2010" marked Exhibit "A" and consisting of three (3) sheets on file in the Public Works & Community Development Department.
3. Any alterations of the approved plans, including substitution of materials or changes in paint colors, shall be requested in writing and approved by the Public Works & Community Development Director or designee prior to changes being made in the field.
4. The applicant shall obtain an approved building permit for the proposed modifications. The applicant shall be responsible for meeting all requirements of the Building Division and shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
5. 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 Historic Preservation Review Commission, 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 Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, 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 June 24, 2010 by the following vote:

Ayes:  
Noes:  
Absent:

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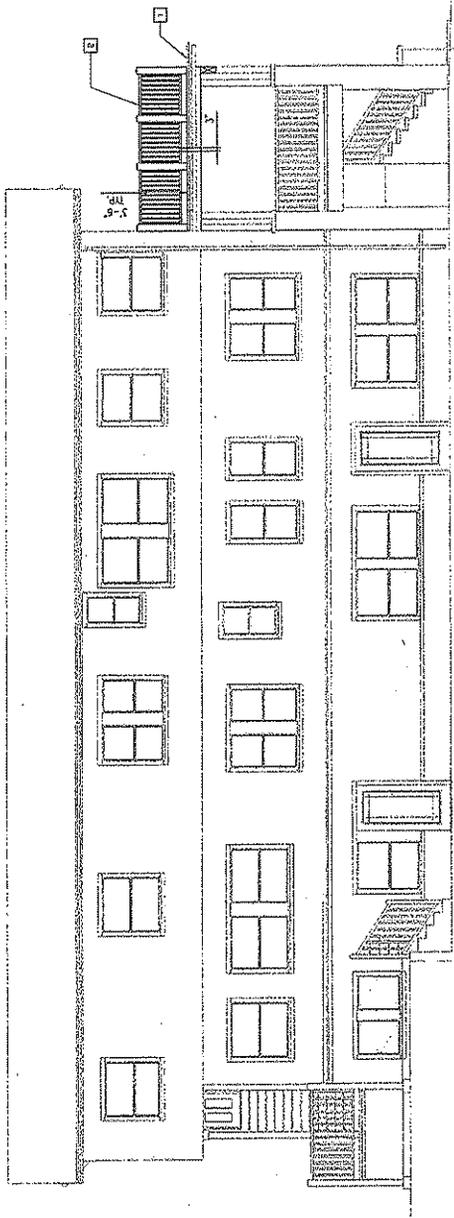
Toni Haughey, Historic Preservation Review Commission Chair

# **PROJECT PLANS**

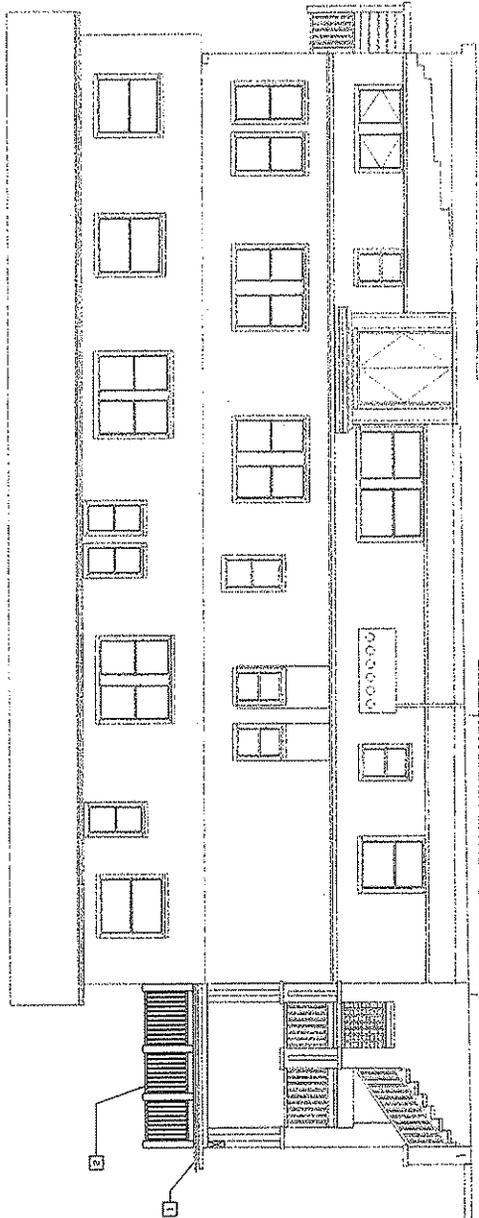




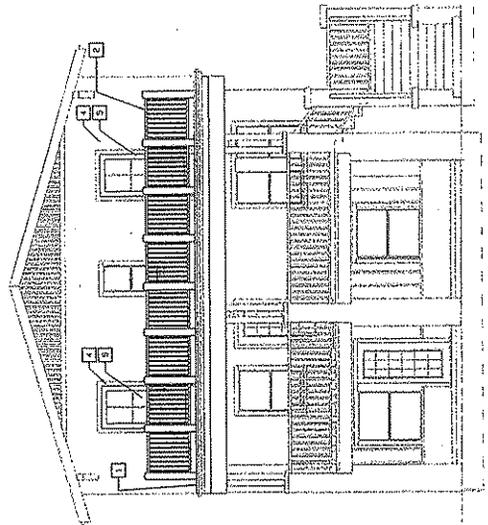
NO.	DATE	BY	REVISIONS
1	12/15/10	J. J. [unclear]	AS NOTED
2	12/15/10	J. J. [unclear]	AS NOTED
3	12/15/10	J. J. [unclear]	AS NOTED
4	12/15/10	J. J. [unclear]	AS NOTED
5	12/15/10	J. J. [unclear]	AS NOTED
6	12/15/10	J. J. [unclear]	AS NOTED
7	12/15/10	J. J. [unclear]	AS NOTED
8	12/15/10	J. J. [unclear]	AS NOTED
9	12/15/10	J. J. [unclear]	AS NOTED
10	12/15/10	J. J. [unclear]	AS NOTED



WEST ELEVATION  
 SCALE: 1/4" = 1'-0"



EAST ELEVATION  
 SCALE: 1/4" = 1'-0"

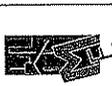


SOUTH ELEVATION  
 SCALE: 1/4" = 1'-0"

GENERAL NOTES	
1	PLAN AND ELEVATIONS NOT PART OF THE APPROVED CONSTRUCTION PLANS. IF NOT BUILT AND SUBMITTED
2	FOR ANY REVISIONS TO BE MADE TO THE ORIGINAL APPROVED PLANS
3	DO NOT REMOVE OR ALTER ANY EXISTING MATERIALS
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9	DO NOT REMOVE OR ALTER ANY EXISTING MATERIALS
10	DO NOT REMOVE OR ALTER ANY EXISTING MATERIALS

SHEET NOTES

- 1 PLAN AND ELEVATIONS NOT PART OF THE APPROVED CONSTRUCTION PLANS. IF NOT BUILT AND SUBMITTED
- 2 FOR ANY REVISIONS TO BE MADE TO THE ORIGINAL APPROVED PLANS
- 3 DO NOT REMOVE OR ALTER ANY EXISTING MATERIALS
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- 10 DO NOT REMOVE OR ALTER ANY EXISTING MATERIALS



**MONARCH ENGINEERING**  
(707) 649-1111

CONSTRUCTION  
STRUCTURAL  
MECHANICAL  
SUSTAINABILITY  
ENERGY  
DESIGN  
REPAIRS & MAINTENANCE

490 Oak Grove Dr.  
San Rafael, CA 94133

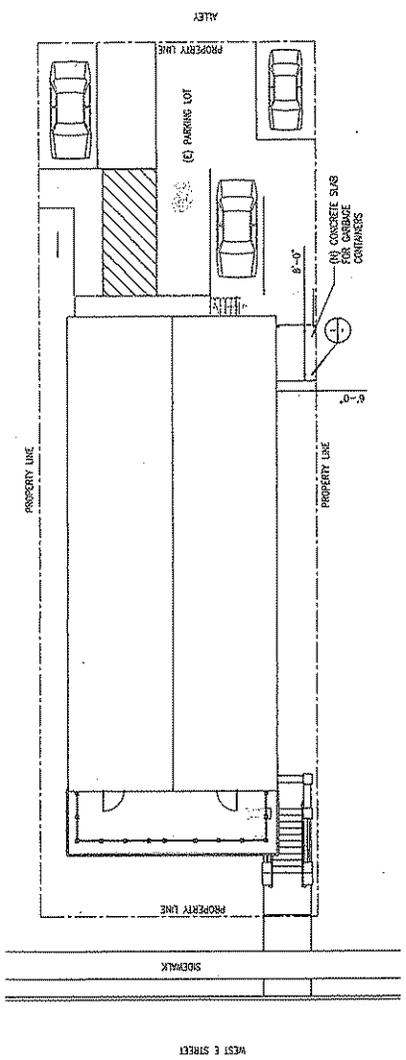
DESCRIPTION:  
SITE PLAN

PINK PALACE  
152 WEST E STREET  
EMERYVILLE, CA

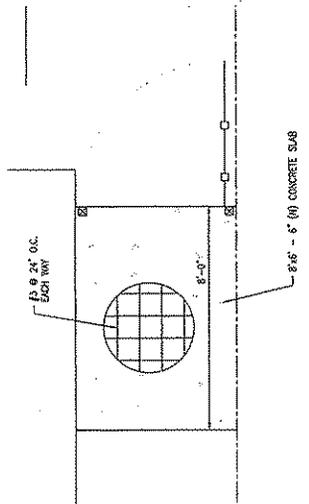


DATE	DESCRIPTION	BY	CHECKED
2/15/10	AS NOTED		
100%	REVISIONS		
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2			
3			
4			
5			

A-1

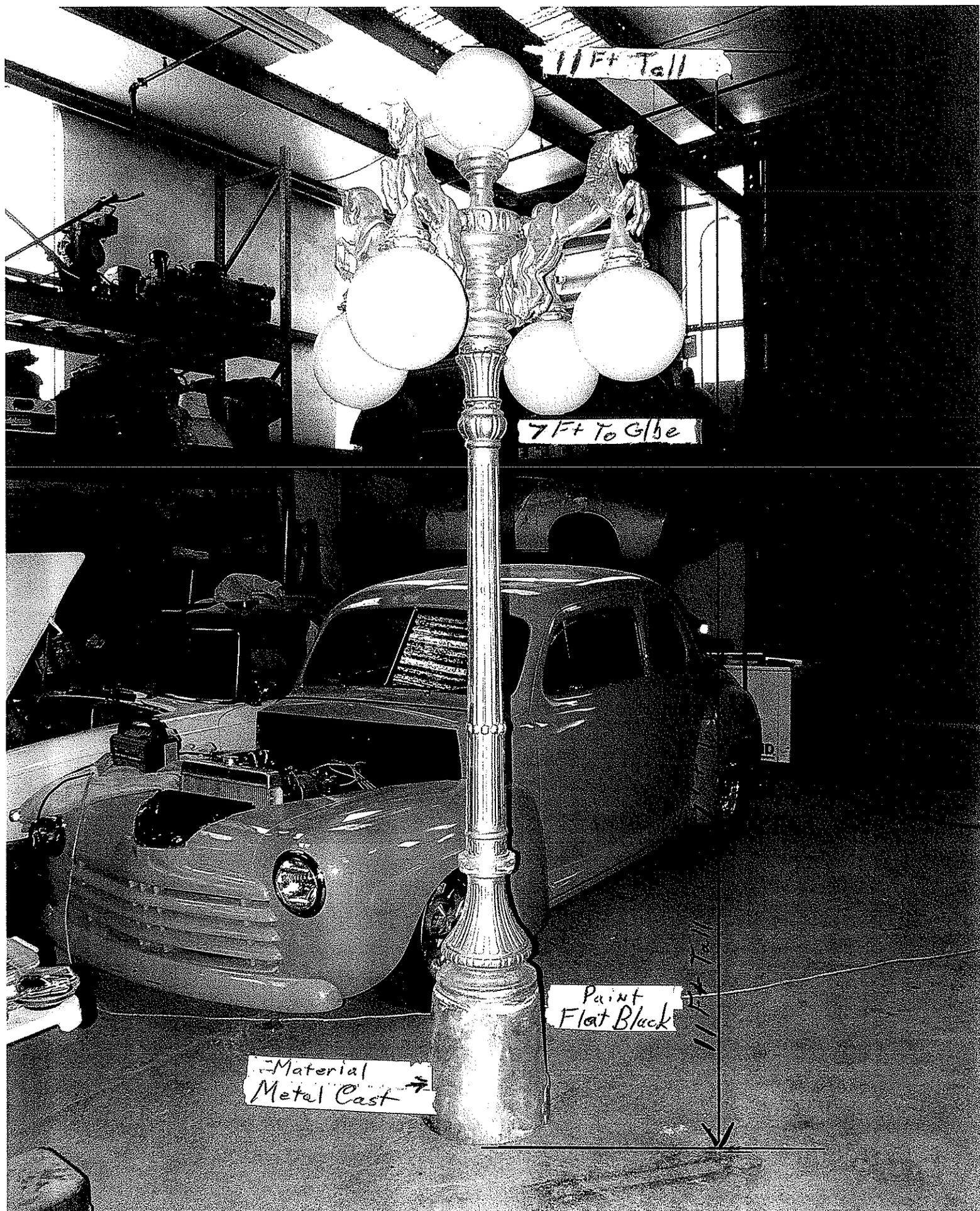


**SITE PLAN**  
SCALE: 1/8" = 1'-0"



**1 CONCRETE SLAB DETAIL**  
SCALE: 1/2" = 1'-0"

# **PHOTOGRAPHS**



11 Ft Tall

7 Ft To Globe

Material Metal Cast

Paint Flat Black

11 Ft Tall



**AGENDA ITEM  
HISTORIC PRESERVATION REVIEW COMMISSION MEETING  
JUNE 24, 2010  
REGULAR AGENDA ITEMS**

**DATE** : June 17, 2010

**TO** : Historic Preservation Review Commission

**FROM** : Amy Million, Consulting Planner

**SUBJECT** : **DESIGN REVIEW TO CONSTRUCT A CARPORT IN THE REAR YARD AND TO MODIFY THE FRONT PORCH OF 271 WEST J STREET**

**PROJECT** : 10PLN-00025 Design Review  
271 West J Street  
APN: 87-162-160

**RECOMMENDATION:**

Approve design review request to construct a carport in the rear yard and modify the front porch of the existing single-family residence at 271 West J Street, based on the findings and conditions of approval set forth in the proposed resolution.

**EXECUTIVE SUMMARY:**

The applicant requests design review approval to construct a carport in the rear yard and modify the front porch of the existing contributing building located within the boundaries of the Downtown Historic District. The proposed carport measures 16' L x 22' W x 15.5' H and would be constructed of wood with a composition shingle roof to match the existing house. Modification of the front porch includes new rails and balustrades and enclosure of the front stairs (risers). As part of this project, the applicant is also requesting approval to horizontally expand the existing shed near the northwest corner of the property to the west toward the side property line and the east proposed carport/fence so that it directly abuts the other structures. This is required in order to comply with Zoning Ordinance Section 17.70.050.

**ENVIRONMENTAL ANALYSIS:**

Staff has reviewed the project and determined that it is Categorically Exempt under Section 15331 of the California Environmental Quality Act (CEQA), which applies to projects limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the federal Secretary of the Interior's Standards for the Treatment of Historic Properties. Although the proposed carport is not a historic resource, it is located on a property with a building that contributes to the

Downtown Historic District. The proposed modification to the front porch and the effects of the proposed carport on this historic resource are evaluated under these standards.

#### **BACKGROUND:**

The subject property entered into a Mills Act Contract with the City of Benicia on December 2, 2008. As part of that agreement, the property owner agreed to minimum property maintenance throughout the life of the contract and additional architectural rehabilitation work plan items. The work plan includes the repair and rehabilitation of the front porch, railings and stairs by the end of 2013. The applicant is requesting design review approval for the proposed design of the front porch in addition to construction of a new carport in the rear yard.

#### Site Description

The property is located on the north side of West J Street, on the block between West 2<sup>nd</sup> and West 3<sup>rd</sup> Streets. The site is 0.13 acres, or 5,662 square feet with terrain that is generally flat. The property is currently developed with a one-story single-family home, a 10 feet by 8 feet shed structure and a concrete pad adjacent to the rear alley. The subject residence was constructed circa 1890 and is architecturally considered to be a Vernacular Style house. Attached photos document the subject building and proposed location of the carport.

#### **SUMMARY:**

##### **Project Description – Modification of the Front Porch**

The applicant is requesting design review approval to modify the front porch railings and stairs. This modification includes replacing the existing horizontal railings with new railings, balusters, and enclosure of the front stairs (risers). An historic photograph of the subject residence dated 1900 shows the front façade prior to the construction of the existing front porch. The house originally was designed with enclosed stairs leading to a small landing covered with a small decorative roof supported by two columns. The stairs were centrally located on the front façade, which appear to be in the same location as the existing stairs. The staircase was flanked by a simple railing and decorative posts at the base.

When the porch was replaced with the current design, it was expanded on both sides and a shed roof was added stretching the entire length of the porch. The new porch railings were replaced with a simple square design with matching horizontal intermediate rails. The proposal is to re-establish the original vertical design of the porch railing by installing new balustrades. The balustrades would resemble the style from the 1900 photograph.

##### *Building Materials and Paint:*

The existing intermediate horizontal rails will be replaced with simple square balusters made of wood. The proposed end posts are turned newel posts also made of wood. The Downtown Historic Conservation Plan recommends a light color such as white, off-white or a neutral base for the Victorian style architecture within the Downtown Historic District. The existing paint colors are a light gray – almost white color for the railing and stairs. White. The applicant proposes to maintain the same colors on the new materials.

### Downtown Historic Conservation Plan Consistency

The subject property is located in the Downtown Historic District and therefore is subject to the policies and guidelines set forth in the Downtown Historic Conservation Plan (DHCP). The purpose of the DHCP is to: 1. Implement the city's general plan, 2. Deter demolition, destruction, alteration, misuse, or neglect of historic or architecturally significant buildings that form an important link to Benicia's past, 3. Promote the conservation, preservation, protection, and enhancement of each historic district, 4. Stimulate the economic health and residential quality of the community and stabilize and enhance the value of property, and 5. Encourage development tailored to the character and significant of each historic district.

The policies in the DHCP used to evaluate the appropriateness of the proposed modifications to the front porch within the Historic District are the Design Guidelines Residential Building Types, Historic Buildings. Policy 4.1 of the DHCP encourages the use of *original materials wherever possible in restoration, renovation, or repair work*. Policy 4.2 states that *when necessary to substitute a 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*.

Carol Roland's 2004 analysis of the property states that the building retains its integrity with the exception of the plain porch rail and wooden stairs, which are replacements. The applicant is proposing to replace the non-original porch rail and wooden stairs with a more historically appropriate design. The replacement materials will be painted wood, which is consistent with the architectural style of the building and neighborhood. The new railing and balustrades will be minimally detailed so that they are consistent with the simple architecture of the Vernacular style building and consistent with the early photographic documentation of the building. The front stairs will be enclosed as they were originally, which is a typical design feature of Victorian style architecture. The new porch and stairs will maintain a subtle level of detail consistent with the main structure.

### Secretary of the Interior's Standards for Treatment of Historic Properties

As a designated contributing historic structure and a Mills Act Contract property, all exterior changes must comply with the Secretary of the Interior's Standards. According to the Standards for Rehabilitation:

“...where an important architectural feature is missing, its replacement is always recommended in the Rehabilitation guidelines as the first, or preferred, course of action. If adequate documentation exists so that the feature may be accurately reproduced, and if it is desirable to re-establish the feature as part of the building's historical appearance, then designing and constructing a new feature based on such information is appropriate. When replacing a missing historic feature such as an entrance or porch, the Standards recommend restoration based on historical, pictorial, and physical documentation; a new design that is compatible with the historic character building. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.”

As previously mentioned, according to Carol Roland's analysis the house retains its integrity with the exception of the replaced porch rail and set of stairs on the front façade. The property's

Mills Act Contract work plan includes the rehabilitation of the porch rail and stairs with the goal of restoring some of the building's historic integrity that has been lost.

An early photograph of the subject property provides evidence of the design of the original porch, railings, balustrades and stairs. The proposal to enclose the stair's risers is consistent with the original design. The new porch railings and staircase would have a simple design and decorative turned newel posts at the base. These features are also consistent with the early photograph of the front façade and other modest Vernacular styles throughout the neighborhood. Further evaluation of the project's consistency with the Standards is attached to this staff report.

**Project Description- Carport**

The proposed carport would be located in the rear yard adjacent to the alley. The carport is designed to cover the area currently occupied by a concrete pad used for parking and an additional area of the rear yard to east of the pad. The carport will be approximately 4' from the rear alley and measure 20'L x 30'W x 15'H. The carport is designed with a pitched roof, which is consistent with the primary residential building. The carport's support posts will be located on the inside of the existing fence, which will remain.

*Building Materials and Paint:*

The new carport is proposed to be supported with a series of wood posts and covered with a pitch roof. The roof would be covered with composition shingles to match the house. The applicant is proposing to paint the carport to match the existing residence.

Zoning Ordinance Consistency

The subject property is located in the RM, Medium Density Residential zoning district. Per *Section 17.74.030 Off-street parking and loading spaces required* of the Zoning Ordinance, Single-Family Residential requires two parking spaces including one covered space. Currently the property has two uncovered off-street parking spaces. The proposed carport will bring the parking spaces into conformity with the Zoning Ordinance.

*Height, Setbacks and Lot Coverage*

The maximum height of a nonresidential accessory structure shall be 12 feet, subject to the provisions of this subsection; provided, that pitched roofs shall not exceed a height of 15 feet.

	Ordinance Requirement	Proposed
Rear Setback *	15 ft.	4 ft.
Side Setback *	5 ft.	3 ft.
Height	15 ft. (pitched roof)	15 ft.
Lot Coverage	45%	Approx. 44%

\* The rear and side setback can be reduced for detached accessory structures which meet the requirements of BMC Section 17.70.50 A (4). The proposed carport is located 3 feet from the rear property lines, which allows a maximum wall height of 9 feet and a maximum height of the pitched roof to be a maximum of 15 feet. The wall height is proposed to be 9 feet and the height to the peak of the pitched roof is 15 feet. The requirements for nonresidential accessory structures are met.

In order to comply with the lot coverage requirements and provide area for the proposed carport, the project includes the removal of the existing green storage structure near the northeast corner of the property. This is reflected on the project plans and condition of approval #5 of the proposed resolution.

#### *Design and Location of Driveways and Carports in R Districts*

Per Section 17.74.180 Driveways and carports – Design and location in R districts, driveways shall be paved and shall have widths of 8 feet. The proposed carport is accessible via a shallow 22-foot wide driveway off the rear alley; therefore the requirements for driveway width are met. In addition, this section requires that “*carports shall be designed and located so that parked vehicles are not visible from a street, except that not more than two vehicles in a carport in a required rear yard may be visible from a street*”. The carport is located in the rear yard so that no more than a portion of the west side would be potentially visible from West J Street.

#### *Relationship to Other Structures*

Section 17.70.050 requires that an accessory building shall either directly abut another accessory building or a fence or maintain a minimum three-foot distance. The proposed carport will directly abut the existing fence. Currently the site is also occupied by a small 8 ft x 10 ft shed. As part of this project, the applicant is requesting approval to horizontally expand the shed to the west toward the side property line and the east proposed carport/fence so that it directly abuts the other structures. This is required in order to comply with this requirement.

The proposed project meets all of the development regulations for the RM zoning district.

#### Downtown Historic Conservation Plan Consistency

The policies in the DHCP used to evaluate the appropriateness of the proposed carport within the Historic District are the Design Guidelines Residential Building Types, New Construction. The Plan encourages accessory buildings such as garages and carports to be compatible with the main structure visual prominence and function. The proposed carport is a one-story structure with a mildly pitched roof to be compatible with the scale and form of the existing historic building. The Plan also encourages the use of materials and finishes which complement the materials and styles of the historic buildings.

4.4 – Materials or colors listed as inappropriate for new construction are also inappropriate for historic buildings (New Construction – Policy 4: Accessory buildings such as garages, storage sheds, studios or workshops should be compatible with the main structure and detailed in accordance with the structure’s visual prominence and function.).

Under the Plan, wood is a preferred principal building material. The proposed carport will be constructed of wood and detailed with a pitched roof in accordance with the residence, which is the main structure on the property.

#### Secretary of the Interior’s Standards for Treatment of Historic Properties

The subject property is the site of a contributing building to the Downtown Historic District. As a designated historic resource under CEQA, all exterior changes must comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Staff is evaluating this

project under the Treatment of Rehabilitation. Although typically new construction projects evaluated under Rehabilitation are additions to the historic structure itself, staff is applying this Treatment to the property as a whole as it contributes to the Historic District and its effects on the designated resource.

According to the DHCP, the Downtown Historic District boundary is based on the existence of the *longest continuity of use and the highest concentration of historic buildings*. The criteria for recognizing buildings as historically significant are age, architectural integrity and architectural/historical distinction.

The proposed carport is located within the rear setback of the subject property and approximately 18 feet from the designated historic structure. The carport is located adjacent to the alley and would be minimally visible from West J Street. The proposed design is simple and it is smaller in scale than the existing single-family residence so that it does not detract from the resource. It is common throughout the historic district to have detached structures in the rear yard of properties including the subject block, which has a midblock alley. Although some of these structures are associated with the early construction periods of the district, historically they have not been included in the historic evaluation of the properties. The proposed carport does not have an affect on the age, architectural integrity and architectural/historical distinction of the contributing building on the property or the historic district. Therefore, the proposed new construction is consistent with the Standards and does not have a significant adverse impact on the historic resource.

### **Conclusion**

The proposed exterior changes, including the new carport, expansion of the accessory shed and modifications to the front porch, are consistent with the Downtown Historic Conservation Plan and Zoning Ordinance. In addition, the proposed changes to the front porch will help restore some of the integrity and historic characteristics that were noted to be missing in the historic evaluation prepared by Carol Roland. Staff recommends that the Historic Preservation Review Commission approve the design review requests based on the findings and conditions of approval in the proposed resolution.

### **FURTHER ACTION:**

The Historic Preservation Review Commission's action will be final unless appealed to the Planning Commission within ten business days by filing of the appropriate form and payment of the appropriate fee.

### **Attachments:**

- Proposed Resolution
- Consistency Analysis: Secretary of the Interior Standards for Rehabilitation
- Department of Parks & Recreation (DPR) Forms 523 A & B
- Project Plans
- Photographs

## **PROPOSED RESOLUTION**

**RESOLUTION NO. 10- (HPRC)**

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW TO CONSTRUCT A CARPORT IN THE REAR YARD AND MODIFY THE FRONT PORCH OF 271 WEST J STREET (10PLN-00025)**

**WHEREAS**, Jon DiFrancesco, property owner, has requested design review approval to construct a carport in the rear yard and modify the front porch of the existing single-family residence located at 271 West J Street; and

**WHEREAS**, the Historic Preservation Review Commission at their regular meeting on June 24, 2010 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) This project is Categorically Exempt under Section 15331 of the California Environmental Quality Act (CEQA), which applies to projects limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the federal Secretary of the Interior's Standards for the Treatment of Historic Properties. Although the proposed carport is not a historic resource, it is located on a property with a building that contributes to the Downtown Historic District. The proposed modification to the front porch and the effects of the proposed carport on this historic resource are evaluated under these standards.
- b) The project is consistent with the Downtown Historic Conservation Plan policies and design guidelines.
- c) The design of the project is consistent with the purposes of Title 17 of the Benicia Municipal Code.

**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.
2. The plans and maps submitted for approval and development of the site shall be in substantial compliance with the plans dated received "June 17, 2010" marked Exhibit "A" and consisting of 5 sheets on file in the Public Works & Community Development Department.
3. Any alteration of the approved plans, including substitution of materials or changes in paint colors, shall be requested in writing for consideration of approval by the Public Works and Community Development Director or designee prior to changes being made in the field.

4. The new carport, porch railings, balustrades and stairs shall be painted a light gray/white to match the existing residence or white, off-white or a neutral base color consistent with the guidelines for colors and finishes established in the Downtown Historic Conservation Plan.
5. The turned newel posts shall be similar to the (1) page sample photograph marked as Exhibit "B" date stamped received June 17, 2010.
6. The existing rectangular storage structure (green color) located near the northeast corner of the property shall be removed as shown on Exhibit A prior to building final.
7. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.
8. 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, Public Works and 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 June 24, 2010 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

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Steve McKee  
Historic Preservation Review Commission Vice Chair

**CONSISTENCY ANALYSIS:  
SECRETARY OF THE INTERIOR'S  
STANDARDS FOR REHABILITATION**

**Consistency Analysis:**  
**Secretary of Interior's Standards for Rehabilitation**  
**Design Review (10PLN-00025)**  
**271 West J Street**

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

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.**

The existing residential use will not change. The proposal will add a carport in the rear enabling the use of the property to be updated to accommodate a more modern lifestyle. The new carport does not alter any of the existing distinctive materials or features that characterize the historic resource. The previously vacant rear yard will be developed with a new structure, however, the historic significance of this building is based on its age and architectural features, and therefore, this change does not contribute to a significant impact to the space or spatial relationship of the historic structure.

- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.**

The structure at 271 West J Street is a Vernacular Style house. The principal character-defining features of this style of building as exhibited on the subject property are as follows:

1. Moderately pitched hip roof
2. Decorative details derived from multiple popular styles of the same period
3. Symmetrical in arrangement with a centered entrance door
4. Pairs of vertically emphasized one-over-one double hung windows on either side

These character-defining features are still present and will be retained and preserved. The project is to re-establish the original vertical design of the porch railing by installing new balustrades. The existing intermediate horizontal rails will be replaced with simple square balusters made of wood. The balustrades would resemble the style from the 1900 photograph. The proposal does not involve the removal of these distinctive materials or alteration of features, spaces and spatial relationship that characterizes the property.

The proposed carport will not remove any of the distinctive materials or impair the features, spaces or spatial relationships that characterize the property. According to the purpose of the Downtown Historic District, the rear yard is not a feature that characterizes a historic resource. The resources in the District are defined through the buildings; their age and architectural feature. The new carport will respect the historic resource through physical separation and design compatibility without matching distinctive characteristics.

- 3. Each property will 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 elements from other historic properties, will not be undertaken.**

In 2004, the property was surveyed by Carol Roland. Her analysis of the property states that the building retains its integrity with the exception of the plain porch rail and wooden stairs, which are replacements. Early photographs of the subject property provide evidence of what the original porch looked like and the design of the railings, balustrades and stairs. The proposal to enclose the stairs is consistent with the original design. The new porch and staircase would have a new simple railing and decorative posts at the base. These features are also consistent with the early photographs of the front façade and other modest Vernacular styles throughout the neighborhood. The proposed design does not add features, which would not have been present on this architectural style.

The proposed materials and design of the carport are compatible with the existing historic resource, but do not duplicate the character defining features. Details such as the materials and roof form are compatible without creating a false sense of historic development. The proposed carport will appear as new construction. No features or elements from other historic property will be added.

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

The proposed alterations to the front porch and new carport do not result in any changes to the property that may have acquired historic significance in its own right. The carport will be located in an area of the rear yard currently occupied by a concrete pad used for off-street parking. According to Carol Roland's analysis, the house retains its integrity with the exception of the replaced porch rail and set of stairs on the front façade. The rehabilitation of the porch rail and stairs included in the Mills Act Contract work plan will therefore result in restoring some of the building's historic integrity that has been lost.

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

No distinctive materials, features, finishes and construction techniques will be removed.

- 6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.**

The proposed rehabilitation would repair any distinctive materials, features, finishes and construction techniques of the building. As a Mills Act Contract property, any future maintenance performed during the term of the contract that involves deteriorated historic features that cannot be repaired will be replaced in-kind and will match the old in design, color, and texture.

- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.**

No chemical or physical treatments are proposed to be undertaken in the rehabilitation of the porch that may cause damage to the historic resource. In addition, the proposed carport is in the rear of the property away from the historic building.

- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.**

The proposed construction is on a pre-developed parcel and requires minimal site work; therefore the possibility of disturbing archeological resources is unlikely. However, should such a resource be discovered, mitigation measures will be undertaken through the building inspection process. Generally, this standard does not apply to this project.

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

There are no new additions or related construction associated with this project resulting in the destruction of historic materials, features and spatial relationship. The modification of the porch will be limited to replacement with appropriate materials and design and is therefore compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

According to the DHCP, the resources in the Downtown Historic District are defined through the buildings; their age and architectural feature. The new garage will respect the historic resource on the property through physical separation and compatibility of design and materials without matching.

- 10. New additions and adjacent or related new construction will 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 the new carport were to be removed in the future, the essential form and integrity of the historic property would not be impaired. In addition, the proposed modification to the porch railings and stairs could be removed in the future. The new railing and stairs would not impede the removal of the existing non-historic porch if restoration of the original porch were completed in the future. No other additions are proposed and therefore the essential form and integrity of the historic property would not be impaired by future removal.

**DEPARTMENT OF PARKS AND RECREATION  
FORMS 523 A & B**

**PRIMARY RECORD**

Primary #:  
HRI #  
Trinomial  
NRHP Status Code:  
Other Listings

Review Code \_\_\_\_\_ Reviewer \_\_\_\_\_ Date \_\_\_\_\_

\*Resource Name or #: 271 West J Street

**P1. Other Identifier:**

- \*P2. .Location: \*a. County Solano  
b. Address: 271 West J Street  
\*c. City: Benicia Zip 94510  
d. UTM: N/A  
e. USGS Quad: Benicia T2N R3W MDM  
\*f. Other Locational Data (APN #): 87-162-16

**\*P3a. Description**

This rectangular plan house with a moderately pitched hip roof is a Vernacular Style house with decorative details derived from more popular styles of the same period. The roof has small overhangs and a decorative cornice. Symmetrical in arrangement, the house has a center door with a transom and vertically emphasized paired one-over-one double hung windows on either side. A centered three-quarter length porch is covered by a shed roof supported on plain posts. The plain rail and wooden stair are replacement.

\*P3b. Resource Attributes: HP2

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

**P5b. Description of Photo:**

Front façade, view southwest

\*P6. Date Constructed/Age: 1890  
 Prehistoric  Historic  Both

**\*P7. Owner and Address:**

John DiFrancesco  
271 West J Street  
Benicia, CA 94501

**\*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: 271 West J Street

\*NRHP Status Code: 3D

B1. Historic Name: N/A

B2. Common Name:

B3. Original Use: Residence

B4. Present Use: Residence

\*B5. Architectural Style: Vernacular

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: Single Family

Applicable Criteria: A / C

This is a Vernacular House of a type that occurs several times in Benicia's Downtown Historic District. The house is a contributor to the Downtown District. With the exception of the replaced porch rail and stair, the house retains its integrity. It should continue to contribute to the district.

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.

State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**BUILDING, STRUCTURE, AND OBJECT RECORD**

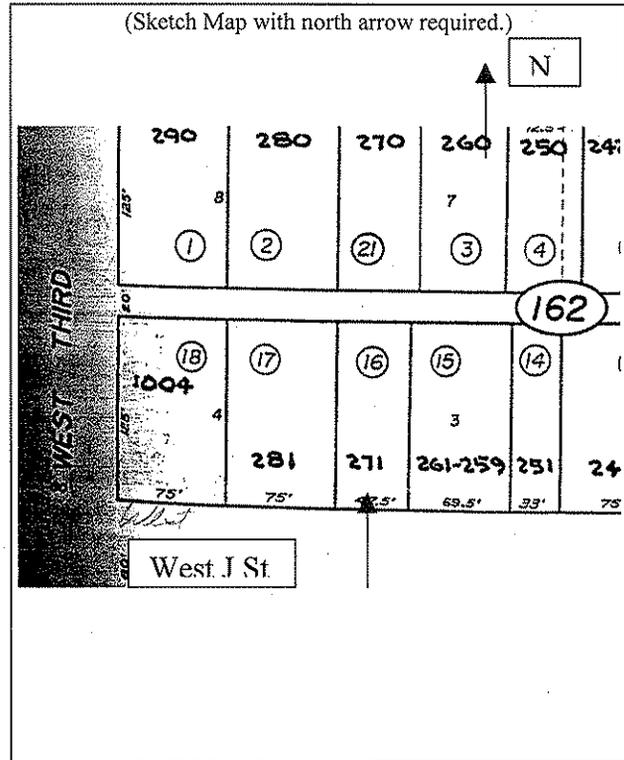
Primary #:  
 HRI#:

Remarks: N/A

B14. Evaluator: Carol Roland, Ph.D.

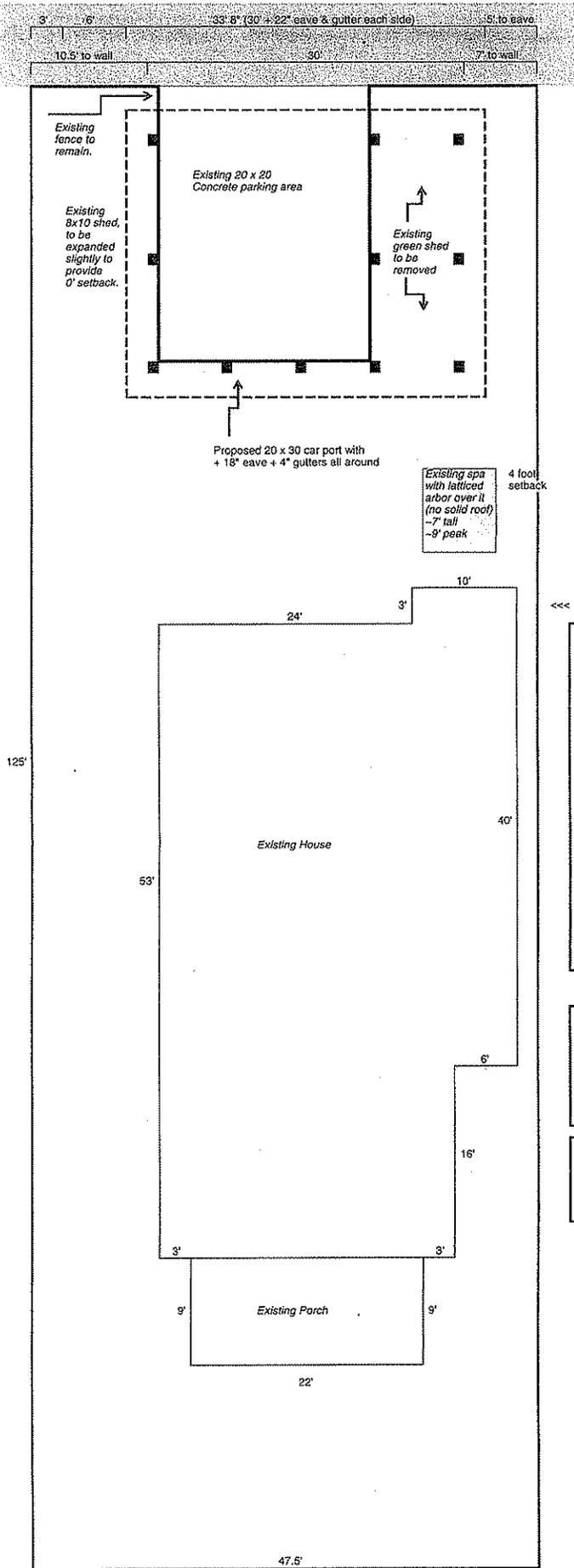
Roland-Nawi Associates: Preservation Consultants  
 4829 Crestwood Way  
 Sacramento, CA 95822

B 15. Date of Evaluation: 11-22-04



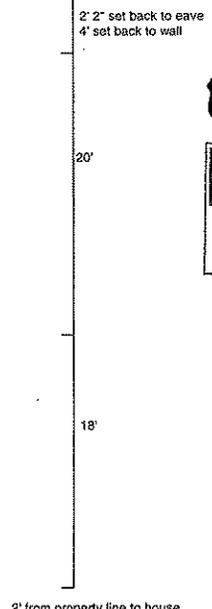
(This space reserved for official comments.)

# **PROJECT PLANS**



**EXHIBIT A**

RECEIVED  
 JUN 17 2010  
 CITY OF BENICIA  
 COMMUNITY DEVELOPMENT



LEGEND

↑

Scale: □ = 1'  
 □ = 4'

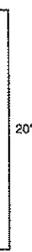
Existing roofed areas that will remain  
 Proposed roofed areas

Property Lines  
 Alley

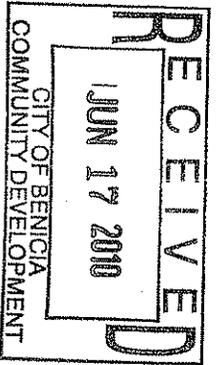
LOT COVERAGE TABLE

House & Porch	1,934.0
Shed	95.0
Carport (20 x 30)	600.0
Total roofed area	2,629.0
Lot Size (47.5x125)	5,937.5
Percent Coverage	44.3%

**DiFrancesco Carport**  
 271 West J Street  
 Revision 5/13/2010

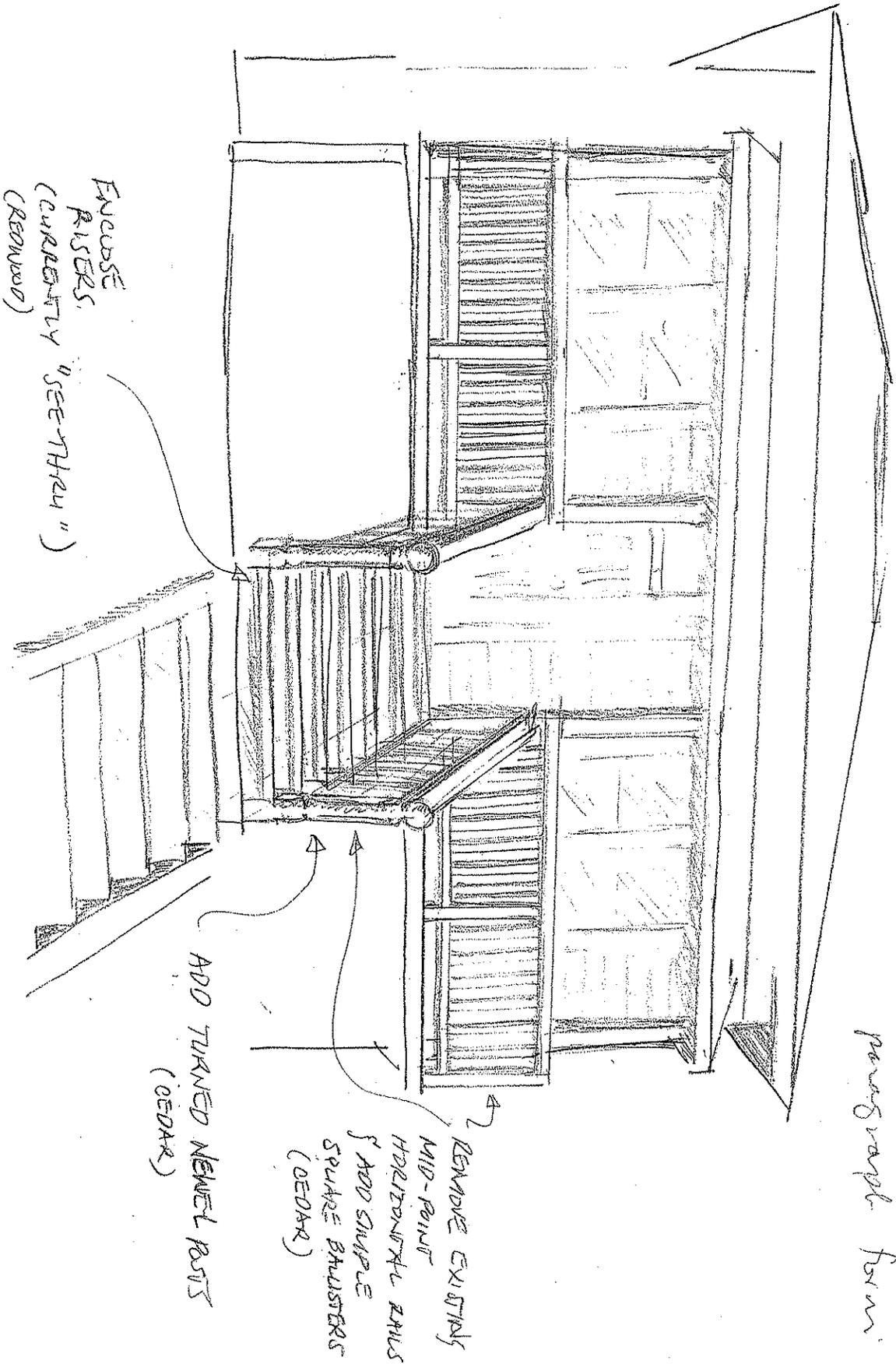


(NEW)



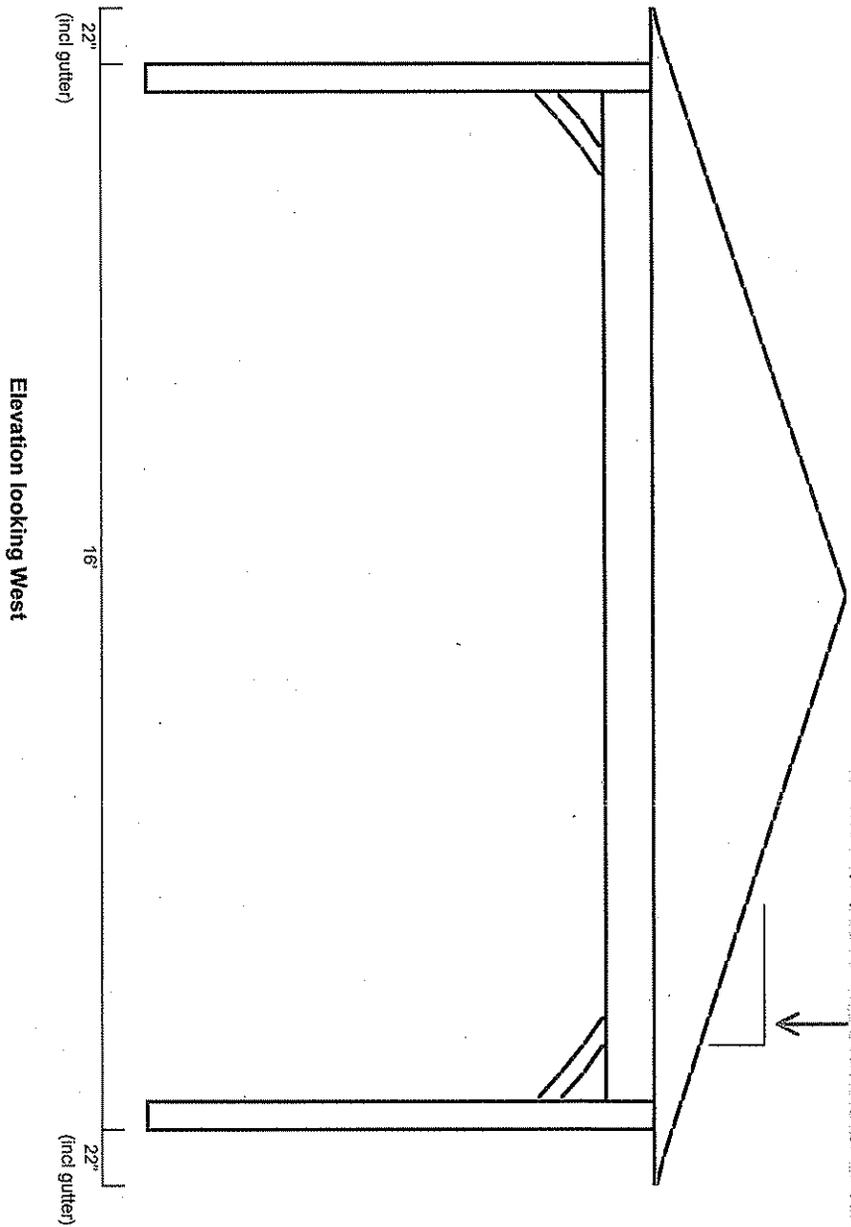
- o height of rail
- o newel post / 1st choice
- o other hardware (nips)
- o no chgs in no. of steps
- o materials

o writing in paragraph form

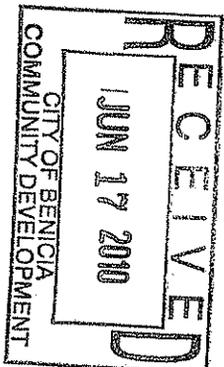


**EXHIBIT B**

**R** E C E I V E D **D**  
JUN 17 2010  
CITY OF BENICIA  
COMMUNITY DEVELOPMENT



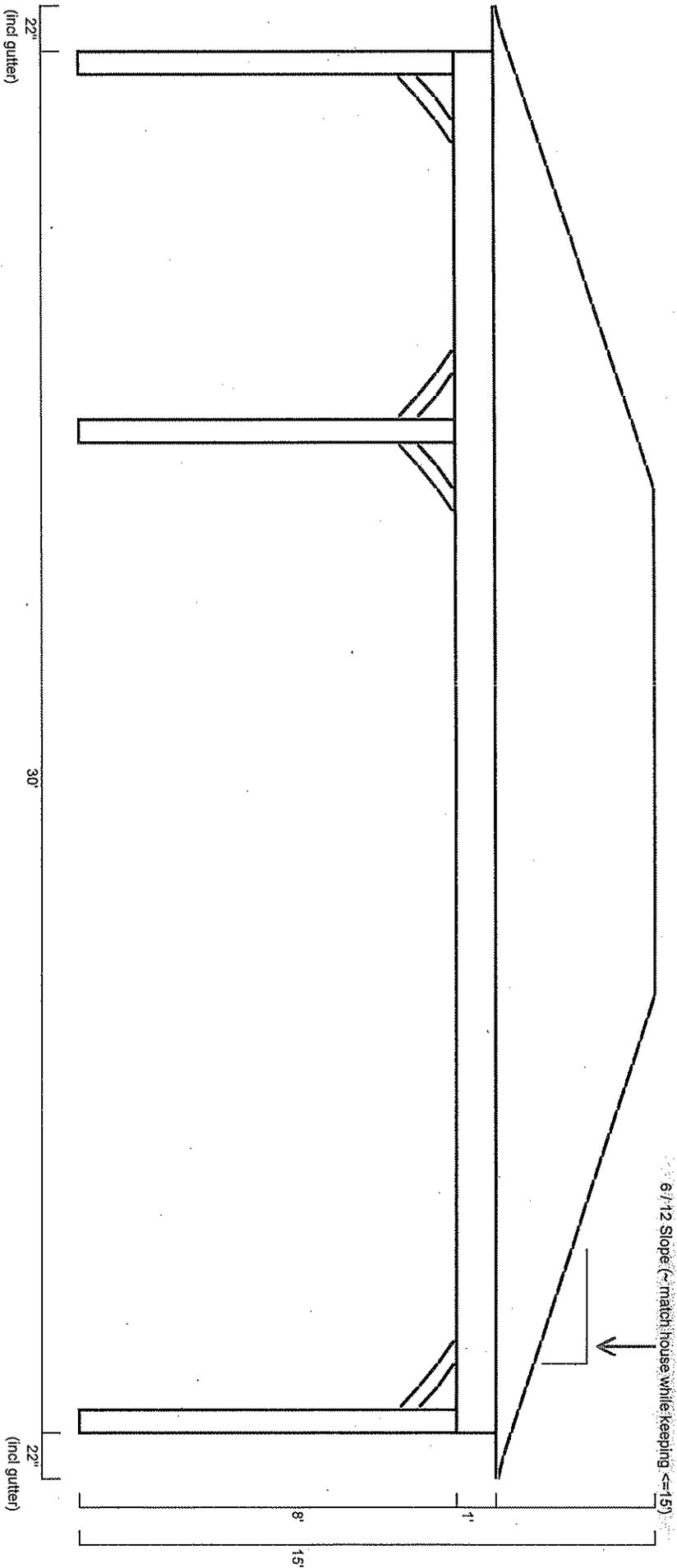
6/12 Slope (to match house while keeping <= 15)



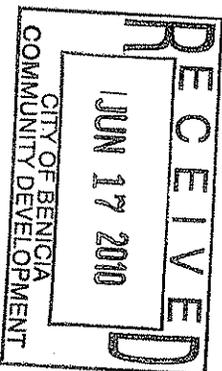
Composition shingle roof  
(to match future color for house)

Color to match existing home  
- White Shadow

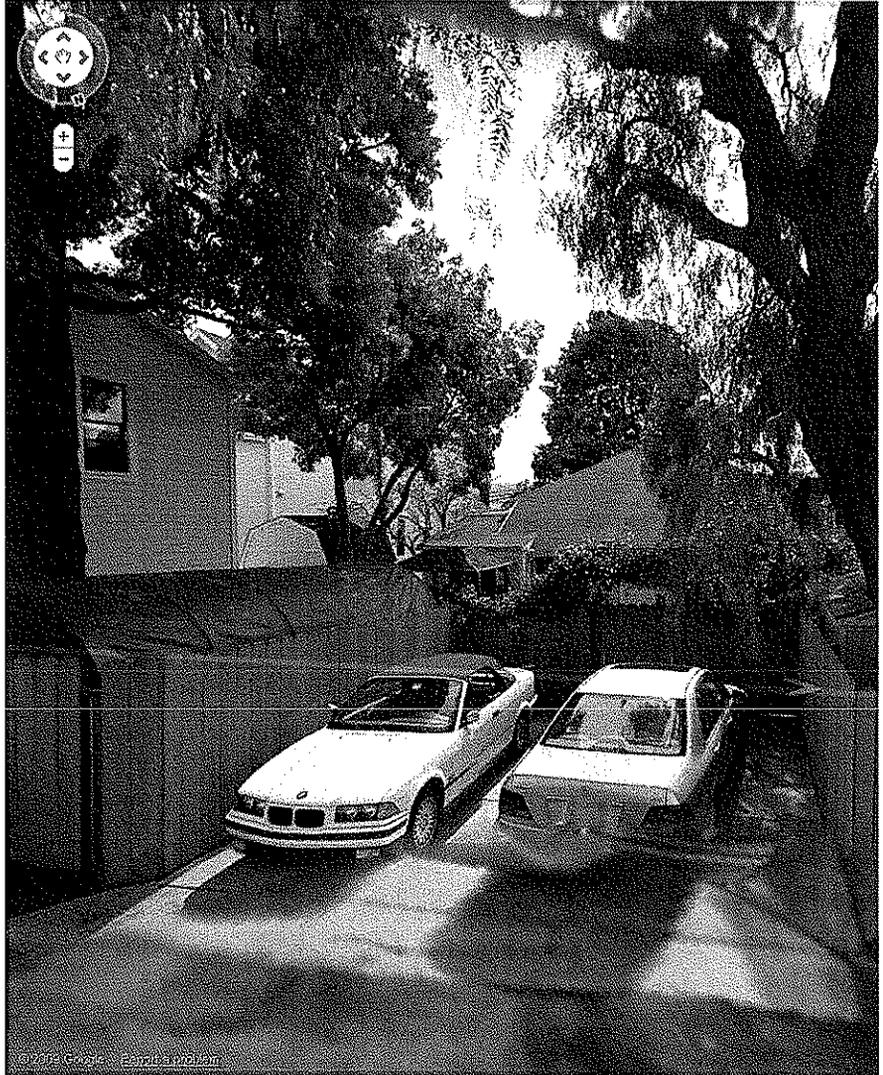
Elevation looking West



Elevation looking South from alley toward carport and home

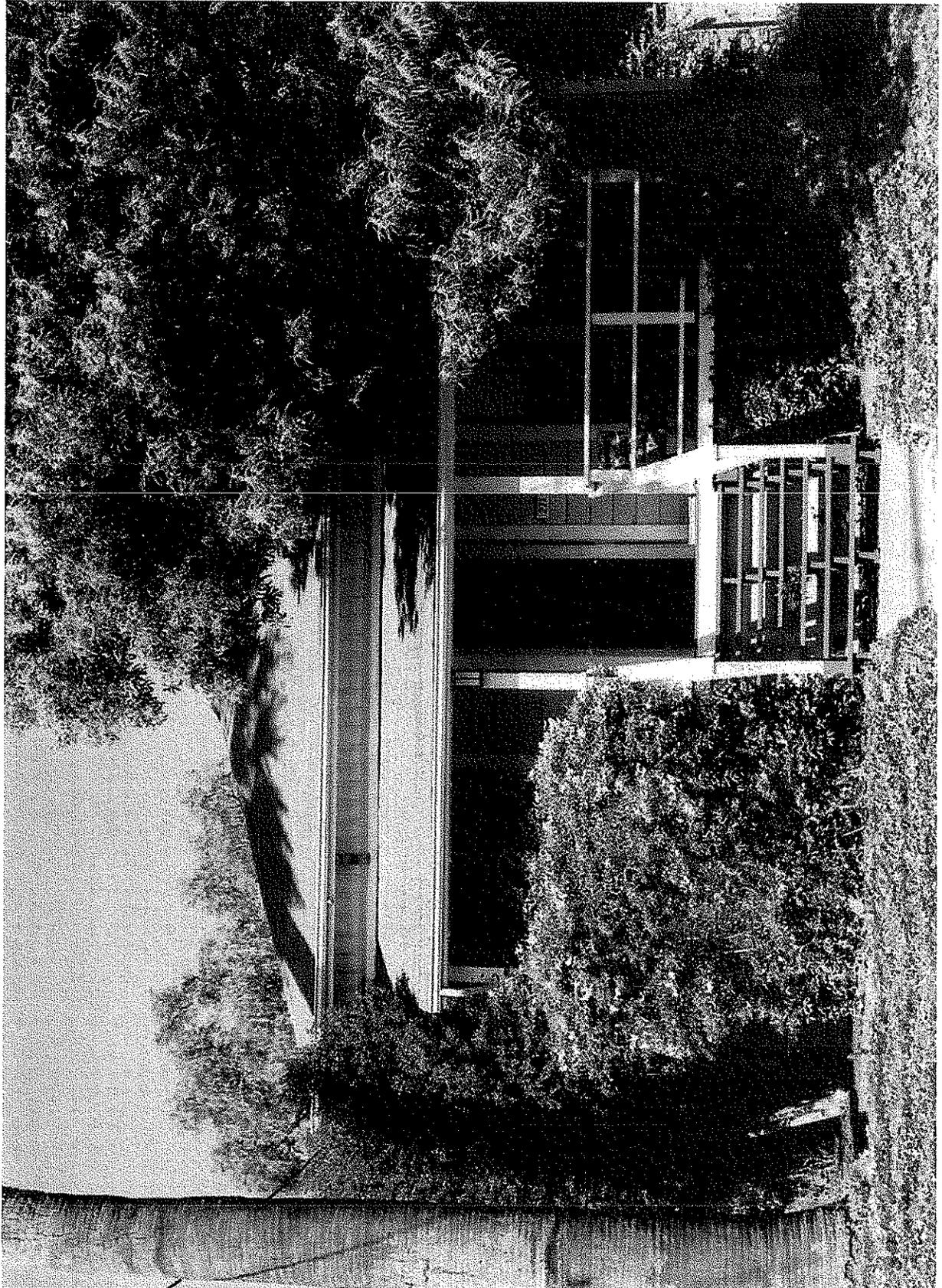


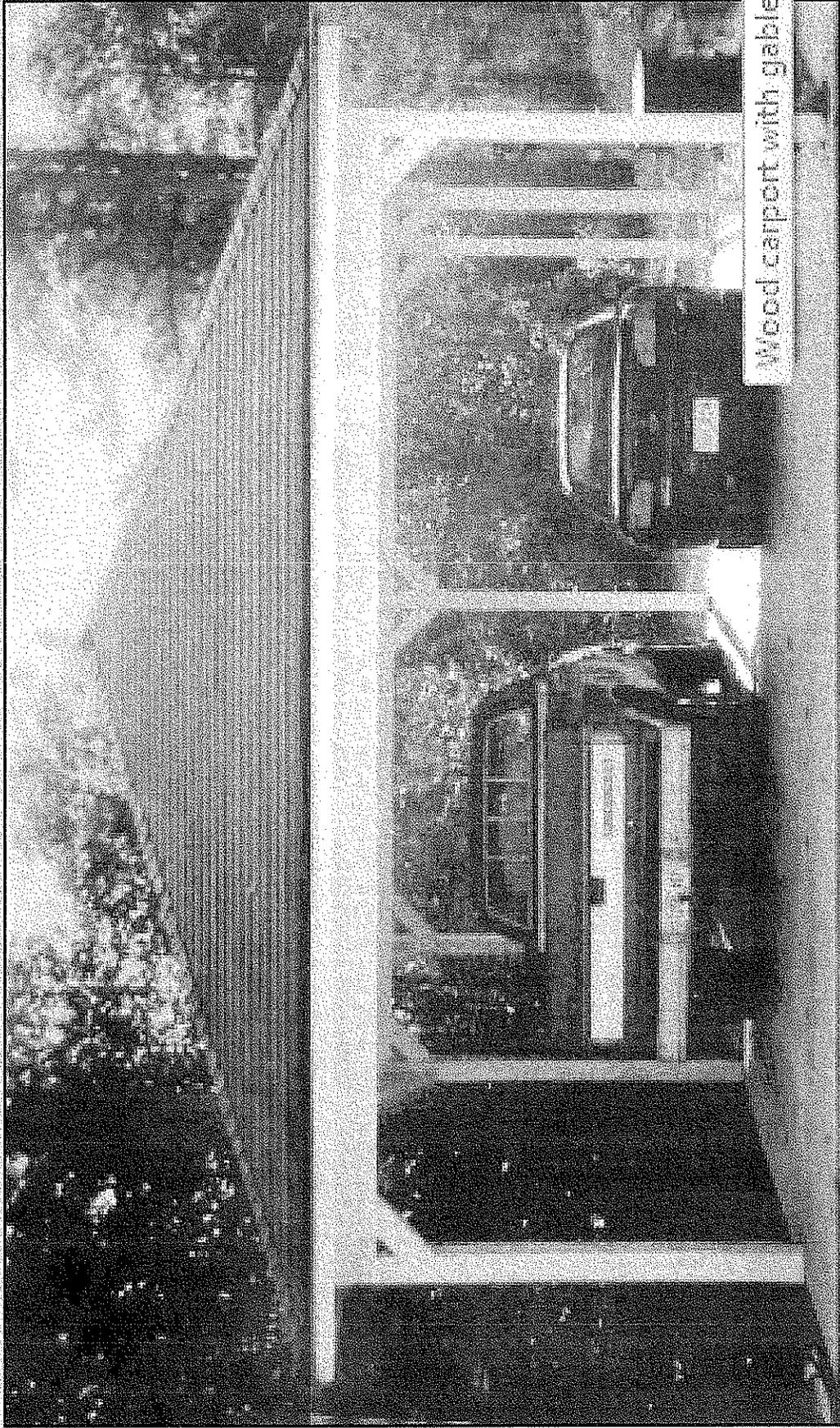
## **PHOTOGRAPHS**



FROM ALLEY

LOOKING SOUTH TOWARD  
EXISTING PARKING PAD  
& EXISTING HOME





Wood carpet with gable roof

EXAMPLE ONLY

**Photograph**

2008.053.0001

**Donor** Katie Holley

B/W photograph: 271 West J Street. The child in the photo is Lewis Sanborn. The man on the porch is his father, Allen Page Sanborn, who was superintendent of Benicia City Schools. The woman in the window is Margaret Williams Sanborn. [notes about the house are in the third paragraph below]

The house was built by Morgan Williams, originally of Swansea, Wales, in

**Title**

**Photographer**

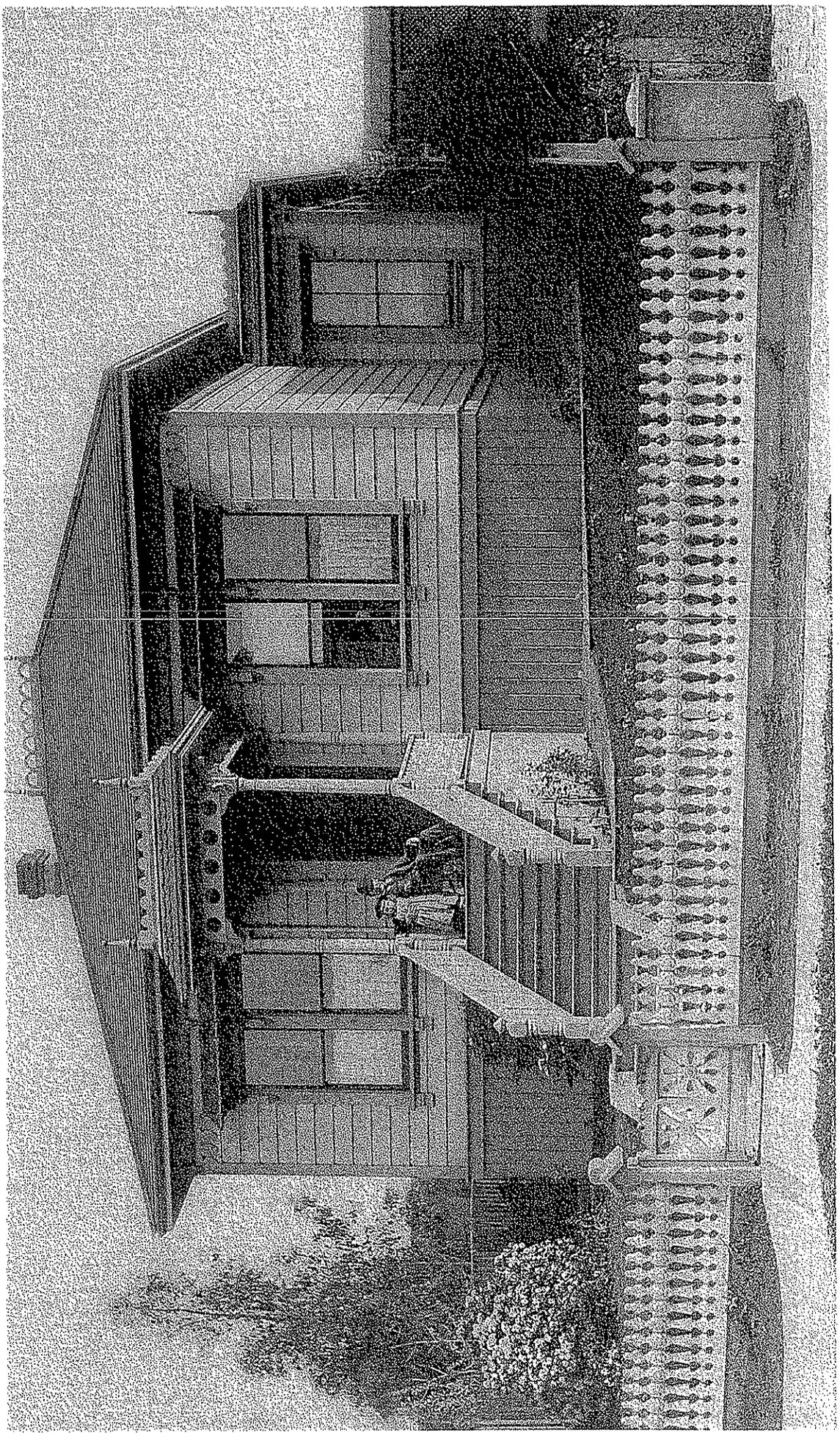
**Place**

**People** Williams, Morgan  
Williams, Margaret

**Date** 0 - 0

**Storeloc** 5/F6/2.3

Sandborn Home 1900  
271 West H St





Public Works &  
Community Development Department  
**MEMORANDUM**

**Date:** June 17, 2010  
**To:** Historic Preservation Review Commission  
**From:** Gina Eleccion, Management Analyst *GE*  
**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. Inspections were performed in June 2010. As a result of the inspections, staff will be contacting a number of property owners to ensure compliance with their contracts. Staff continues to monitor Mills Act properties for compliance.

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 2009/2010

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			
185 East D Street - M	2004	03/03/10	03/29/10	06/03/10	yes	yes			
120 West D Street	2007	03/03/10	03/22/10	06/03/10	yes	yes			Paint to be completed in 2010
123 West D Street - M	2005	03/03/10	02/01/10	06/03/10	no	yes			Picket fence paint peeling - needs maintenance
401 First Street	2004	03/03/10	03/15/10	06/03/10	yes	yes			Major sidewalk work done - items delayed
1025 West Second Street	2007	03/03/10	03/22/10	06/03/10	yes	yes			
141 West F Street	2008	03/03/10	03/21/10	06/03/10	yes	yes			
140 East G Street	2007	03/03/10	03/19/10	06/03/10	yes	yes			No items for 2009
149 West G Street - M	2006	03/03/10	03/26/10	06/03/10	yes	yes			
159 West G Street - M	2006	03/03/10	03/23/10	06/03/10	yes	yes			
392-396 East H Street	2007	03/03/10	03/08/10	06/03/10	yes	yes			No item until 2015
166 West H Street	2004	03/03/10		06/03/10	yes	no			House in foreclosure. Stair rail needs to be completed.
141 West H Street	2007	03/03/10	3/22/10	06/03/10	yes	no			Replace front window in 2010
171 West H Street	2007	03/03/10	04/13/10	06/03/10	yes	yes			
270 West H Street	2007	03/03/10	04/02/10	06/03/10	yes	yes			Request photo documentation of windows
125 East I Street	2006	03/03/10		06/03/10	yes	no			Front yard fence
145 East I Street	2006	03/03/10	03/25/10	06/03/10	no	no			Continue to make progress. Property needs maintenance. Landscaping/debris should be cleaned up.
224 West I Street	2007	03/03/10		06/03/10	yes	yes			Request photo documentation of window

242 West I Street	2007	03/03/10	06/03/10	yes	no	Paint exterior, repair wood sash - pending exterior alterations
121 West J Street - M	2004	03/03/10	06/03/10	yes	yes	
155 West J Street	2008	03/03/10	06/03/10	yes	yes	
163 West J Street - M	2006	03/03/10	06/03/10	no	yes	Paint in progress
251 West J Street - M	2004	03/03/10	06/03/10	yes	yes	
271 West J Street	2008	03/03/10	06/03/10	yes	yes	Minor roof repairs completed?
441 West J Street	2008	03/03/10	06/03/10	yes	unknown *	* Request photo documentation of rear windows
1063 Jefferson Street - M	2005	03/03/10	06/03/10	yes	yes	
230 West K Street	2004	03/03/10	06/03/10	yes	yes	Landscaping in progress
245 West K Street	1990	03/03/10	06/03/10	yes	yes	
235 East L Street	1990	03/03/10	06/03/10	no	no	Clean up landscaping. Revise work plan for Commission approval.



Public Works &  
Community Development Department  
**MEMORANDUM**

**Date:** June 18, 2010  
**To:** Historic Preservation Review Commission  
**From:** Gina D. Eleccion, Management Analyst *GE*  
**Re:** Mills Act Program Guidelines

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The City of Benicia Mills Act Program was approved by the City Council on October 15, 2002 and amended in December 2007. The Commission has ranked this as the #4 item on their list of discussion items. In November 2008, the Commission reviewed the Program Guidelines, but opted not to amend them at that time.

Since November 2008, the Commission has continued to comment on the types of contracts approved, particularly “maintenance only” contracts. Currently, the program guidelines do not restrict the type of Mills Act contracts that the City enters into. The only way to restrict this is for the Commission to recommend that the City Council amend the program eligibility requirements.

Based on discussion and public comment, the Commission may wish to recommend a revision to the City of Benicia Mills Act Program Guidelines for City Council approval. Staff has included suggestions to program amendments (red-lined version attached). If the Commission does not wish to amend the program guidelines, staff recommends that this item be shown as “completed” on the priority list of discussion items as staff does not have the authority to modify eligibility requirements without an amendment to the program.

**Attachment:**

- Excerpts from City of Benicia Mills Act Program brochure (red-lined)
- City of Benicia Mills Act Program Cost Estimates

## MILLS ACT PROGRAM: WHAT IS IT?

The Mills Act is a State law that allows cities and owners of historic structures to enter into contracts that decrease property tax in exchange for continued preservation of buildings and property. Property tax can be reduced by 50 percent or more under Mills Act contracts.

### How it works...

State law enables the City of Benicia to enter into ten-year contracts with owners of properties in the Historic District, by which owners agree to maintain and, if necessary, rehabilitate historic structures. The contracts automatically renew annually for another ten years, unless purposely non-renewed by either party (in which case the contract lasts only through stated ten-year term) or cancelled. An owner may petition the City for immediate cancellation, and the City may only cancel a contract for breach of conditions (which carries a penalty for the owner equal to 12 ½ percent of assessed property value).

### Who's eligible...

Participation in the program is open to owners of the following types of structures:

1. Historic Landmark Buildings, as identified by the Downtown or Arsenal Historic Conservation Plans;
2. Contributing Buildings, as identified by the Downtown or Arsenal Historic Conservation Plans;
3. Buildings listed in the National Register of Historic Places; and
4. Buildings listed in any State, City, or County official register of historical or architecturally significant sites, places, or landmarks.

Staff suggests adding the following, based on past Commission discussion, and current economic conditions:

#### Program Threshold

(Add either one or both of the following)

1. The City of Benicia has an annual threshold of \$50,000 (TBD) projected reduction in property tax revenue to the City's General Fund. The applications shall be evaluated and processed in the order received until the total projected reduction in property tax revenue to the City has reached \$50,000 (TBD) on an annual fiscal basis.
  - a. If in any fiscal year, the project reduction in property tax revenue from Mills Act Agreement applications exceeds \$50,000, the City Manager or designee shall seek City Council authorization to exceed the threshold, if Council can make the finding that the fiscal health of the City is such that additional reduction in tax revenue can be supported by the budget.

b. If in any calendar year the projected reduction in property tax revenue to the City from Mills Act Agreement applications exceeds \$50,000, and the City Council does not make a finding to authorize the processing of those Agreements, the property owner's application will be automatically rolled over to the next fiscal year.

2. The City of Benicia may process up to 5 (TBD) agreements per calendar year.

**City of Benicia Mills Act Program**  
Approved by the City Council on January 7, 2003  
Amended by the City Council on December 18, 2007

**Purpose and Goal:**

The purpose of the program is to encourage the preservation, restoration and rehabilitation of historic property in the City of Benicia.

The Mills Act is a state law that enables a community to enter into 10-year contracts with owners of historically significant properties who agree to maintain and, if necessary, rehabilitate their historic structure in exchange for a reduction in property tax. The contract renews itself annually; hence, the owner is always between 9 and 10 years from termination unless there is a notice of nonrenewal. Either the property owner or the City may elect not to renew for any reason. The effect of nonrenewal is to terminate the contract at the end of the current nine to ten-year term.

A Mills Act contract provides a method of reducing property taxes in exchange for the continued preservation of a historic property. Property taxes are recalculated using the special Mills Act assessment method and can be reduced by 50 percent or more. Property valuation is determined by the "income" method set out in Revenue and Tax Code Section 439.2. Generally, the income, or projected income, less certain expenses, is divided by a capitalization rate to determine the assessed value of the property. When a property is owner occupied, the determination of "income" is based on what a property could reasonably be expected to yield, or an amount stipulated in the contract as the minimum income to be used. The income projected for owner occupied property is based on comparable rents for similar property in the area or, if insufficient rental information is available, the income that it could reasonably be expected to produce under prudent management.

It is the policy of the City of Benicia to foster and encourage the preservation, maintenance, rehabilitation and restoration of historically designated properties. It is recognized by the City that a reduction in property taxes afforded by the Mills Act will serve as a key monetary incentive for citizens to acquire, maintain and restore historic properties within the City of Benicia. However, it is also recognized that the reduction in property taxes affects the City's General Fund, and in order to understand and manage this fiscal impact, all Mills Act contracts shall be subject to the guidelines contained herein.

**Definitions:**

**Preservation:** The maintenance of the structure in its present condition or as originally constructed. Preservation aims at halting further deterioration and providing structural safety, but does not contemplate significant rebuilding. Preservation includes techniques of arresting or slowing the deterioration of a structure; improvement of structural conditions to make a structure safe, habitable, or otherwise useful; normal maintenance and minor repairs that do not change or adversely affect the fabric or appearance of a structure.

**Rehabilitation:** Involves equipping the building or facility for an extended useful life with a minimum alteration of original construction or the process of returning a structure to a state of usefulness by repairs or alterations.

**Restoration:** The process of accurately recovering, by the removal of later work and the replacement of missing earlier work, the form and details of a structure, together with its setting, as it appeared at a particular period of time.

**Eligibility Criteria:**

**Qualified historical property:** for purposes of this Mills Act Program, means privately owned property which is not exempt from property taxation and which meets either of the following:

- A. Listed in the National Register of Historic Places or located in a registered historic district.
- B. Listed in any state, city, county, or city and county official register of historical or architecturally significant sites, places, or landmarks.

Participation in the program is open to the following types of structures \*\*:

- A. Historic Landmark Buildings, and
- B. Contributing Buildings to the Downtown Historic or Arsenal District, and

\*\* Properties already rehabilitated or without need of future rehabilitation are ineligible for a contract. It is the policy of the City of Benicia to not enter into "maintenance only" contracts.

**Type and Extent of Proposed Work:**

The applicant will propose a schedule of proposed preservation, maintenance and/or improvements to the building to protect or enhance its historical value. The type and extent of the proposed work to be committed to in the Mills Act contract will also be used to evaluate the proposal.

- A. Extend the life of the structure, such as a new roof, a stable foundation; seismic retrofits (bolting to the foundation, shear walls, etc.) weatherproof exterior walls. Primary mechanical systems necessary to maintain the structural integrity or address safety concerns of the building (plumbing, electrical, heating) may be included in the work plan.
- B. Improve or restore the building's historic exterior appearance.
- C. Provides extensive improvement.
- D. New additions, exterior alterations, or related new construction shall follow the Secretary

of Interior guidelines such as: the project 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.

- E. ~~A Maintenance program for properties that are already in good condition.~~

**Mills Act Program Procedures:**

- A. The Mills Act process starts with a meeting between the ~~Community Development Department~~Planning Division staff and the potential applicant to discuss the program. The property owner and staff will consult with the County Assessor's Office to get detailed information on how their property taxes would be affected.
- B. The applicant submits an application packet requesting that the City enter into a Historic Property Preservation Agreement. Applications will be accepted from January-June of each calendar year. An application packet will include the following:
1. A completed application form.
  2. The Historic Resources Inventory entry, updated to comply with the most current procedures of the State Office of Historic Preservation (form DPR 523B 1/95).
  3. An itemized description of the annual preservation and restoration goals to be undertaken by the owner through the initial ten-year term of the agreement.
  4. A maintenance plan for building(s), yards and other improvements.
  5. A copy of the last tax bill and the projected adjustments of the property taxes as determined by the Solano County Assessors Office.
  6. The application fee.

**Other Supplemental Information:**

7. Depending on the condition of the property and the nature of the proposed work, staff may request that a Structural Pest Report be made part of the application submittal.
8. Depending on the condition of the property and the nature of the proposed work, staff may request that a Roof Inspection Report be made part of the application submittal.
9. Depending upon the nature of the proposed work and the significance of the property, the City may retain an architectural historian, or restoration architect, at the applicant's expense, to evaluate the applicant's proposal for consistency with

the architectural, historic, or aesthetic integrity of the resource. The architectural historian shall review and make recommendations to the City to help ensure that the proposed work will not adversely affect the significant architectural features of the property nor adversely affect the character or historic architectural or aesthetic interest or value of the cultural resource and its site. Every reasonable effort should be made to restore the architectural character of the structure back to its original material or architectural features. Restoration would not necessarily be required unless the structure has been modified to change its historic character, or in a manner which is contrary to the Downtown Historic Conservation Plan or Secretary of the Interiors Standards. The architectural historian would review the application and proposed improvements and formulate a recommendation to staff on what, if anything is needed to restore and/or preserve the property.

Once a complete application is submitted and deemed complete, staff prepares an analysis and recommendation, which it is forwarded to the Historic Preservation Review Commission along with staff's recommendation.

The Historic Preservation Review Commission evaluates the application based upon the Mill Act Criteria and votes to recommend to the City Council approval or denial of the project.

Staff forwards the application and the Historic Preservation Review Commission's recommendation to the City Council for their consideration.

The City Council considers the application request and decides to approve, modify or deny the request.

If approved, a draft Agreement is prepared by staff and reviewed by the City Attorney's Office for form and content.

The City Manager or Public Works & Community Development Director executes the agreement with the property owner. \*\* The property owner is responsible for having the agreement recorded with the Solano County Recorder's Office by the end of the calendar year in which it is executed.

Once the Agreement is signed, the Solano County Assessor's Office is notified and the assessor determines the value of the property and annual property tax using the capitalization of income method.

Staff annually inspects the property to ensure that the terms of the Agreement are being met and that the property is being properly maintained and preserved and reports to the Historic Preservation Review Commission.

The Historic Preservation Review Commission recommends action to be taken by the City if the terms of the Agreement are not being met. If appropriate, the Commission may recommend that the Council cancel or not renew the Agreement.

\*\* - For all contracts recorded by December 31 of a calendar year, reassessment by the County is conducted by June 30 of the following year and is reflected on fiscal year tax bills issued in October.

### **Annual Inspection**

Each year the properties under Mills Act contract are to be inspected and their compliance with their contracts reported to the Historic Preservation Review Commission. Following consideration at a public meeting, the Commission shall accept each property as being in compliance or find that the project may not be in compliance, citing the particular areas of concern. The areas of concern shall be reviewed by City staff with the property owner. Where they are resolved, a supplemental report is to be submitted for the Historic Preservation Review Commission's further consideration of finding the property in compliance. Where the concerns are not resolved, then the matter shall be referred to the City Council for action, which may include termination of the contract for noncompliance.

# City of Benicia Mills Act Program Costs

The Mills Act contracts will reduce the property tax paid by these properties. The City of Benicia receives approximately 26% of the property taxes collected on parcels in the City.

ADDRESS	DATE ENTERED INTO	BASE PROPERTY VALUE	TAX WITHOUT CONTRACT	TAX WITH CONTRACT*	ESTIMATED TAX SAVINGS*	LOSS OF CITY REVENUE*
<b>EXISTING CONTRACTS:</b>						
245 West K Street** - M	11/7/90	\$1,255,877	\$14,442	\$1,601	\$12,841	\$3,337
235 East L Street**	6/1/90	\$1,201,877	\$13,821	\$1,412	\$12,409	\$3,226
230 West K Street	10/22/04	\$446,888	\$5,139	\$1,075	\$4,064	\$1,057
121 West J Street - M	12/3/04	\$344,401	\$3,960	\$1,724	\$2,236	\$581
185 East D Street - M	1/19/04	\$299,025	\$3,438	\$1,090	\$2,348	\$610
251 West J Street - M	12/17/04	\$246,998	\$2,840	\$818	\$2,022	\$526
401 First Street	10/15/04	\$946,442	\$10,884	\$10,226	\$658	\$171
166 West H Street	12/17/04	\$760,000	\$8,740	\$1,676	\$7,064	\$1,837
123 West D Street - M	12/27/05	\$675,378	\$7,553	\$1,105	\$6,448	\$1,676
1063 Jefferson Street - M	5/24/05	\$343,664	\$3,952	\$2,532	\$1,420	\$370
125 East I Street	12/20/06	\$438,178	\$4,883	\$1,422	\$3,461	\$900
159 West G Street - M	10/30/06	\$383,217	\$4,407	\$1,919	\$2,488	\$636
163 West J Street - M	10/30/06	\$291,875	\$3,265	\$886	\$2,379	\$618
149 West G Street - M	10/30/06	\$548,760	\$6,140	\$1,423	\$4,717	\$1,226
145 East I Street	10/30/06	\$401,000	\$4,486	\$1,025	\$3,461	\$900
141 West H Street - M	12/18/07	\$405,756	\$4,521	\$921	\$3,600	\$936
120 West D Street	12/18/07	\$338,130	\$3,768	\$1,342	\$2,426	\$630
1025 West Second Street	12/18/07	\$312,120	\$3,478	\$984	\$2,494	\$648
140 East G Street	12/18/07	\$326,835	\$3,535	\$1,288	\$2,307	\$600
392-396 East H Street	12/18/07	\$376,478	\$4,195	\$2,300	\$1,895	\$492
224 West I Street	12/18/07	\$610,000	\$6,970	\$1,597	\$5,373	\$1,397
242 West I Street	12/18/07	\$550,000	\$6,183	\$1,064	\$5,118	\$1,331
171 West H Street	12/18/07	\$632,540	\$7,111	\$1,449	\$5,662	\$1,472
270 West H Street	12/18/07	\$1,300,000	\$14,615	\$1,508	\$13,107	\$3,408
441 West J Street	12/18/07	\$649,000	\$7,296	\$887	\$6,409	\$1,666
271 West J Street	12/02/08		\$3,365	\$1,150	\$2,215	\$575
141 West F Street	12/02/08		\$2,509	\$1,331	\$1,178	\$307
155 West J Street	12/02/08		\$2,133	\$798	\$1,335	\$347
182 East I Street		\$386,000	\$4,450	1700	2750	715
1101 West Second Street		\$384,368	\$4,222	1700	2522	655
<b>EXISTING CONTRACTS TOTAL:</b>						
<b>EXISTING CONTRACTS ANNUAL COSTS:</b>			(\$150 per contract for annual inspections)			
<b>2010 CONTRACTS PROPOSED:</b>						
395 West J Street						
<b>2010 CONTRACTS TOTAL:</b>						
<b>2010 CONTRACTS STAFF COSTS:</b>			(\$1350 per application)			
<b>2010 CONTRACTS ANNUAL STAFF COSTS:</b>			(\$150 per contract for annual inspections)			
<b>CONTRACTS TOTAL (EXISTING AND PROPOSED):</b>						
<b>CONTRACTS ANNUAL STAFF COSTS TOTAL (EXISTING AND PROPOSED):</b>					\$121,136	\$32,850
					\$4,500	\$4,650

\* Tax savings are estimates and subject to change annually

\*\* Prior to 2003 City Council program authorization

M - Maintenance Only contract



Public Works &  
Community Development Department  
**MEMORANDUM**

**Date:** June 17, 2010  
**To:** Historic Preservation Review Commission  
**From:** Gina D. Eleccion, Management Analyst *GD*  
**Re:** Window Standards Resolution No. 10-4

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In December 2005, the Commission drafted Resolution No. 05-14, formalizing their desire for window standards for designated buildings in the Downtown Historic Conservation District. These window standards allowed for staff-level approval of windows meeting the criteria in the resolution. At the May 27, 2010 meeting, the Commission reviewed and modified the original resolution to include incorporate National Park Service Preservation Brief 9 "The Repair of Historic Wooden Windows". Preservation Brief 9 includes standards for physical evaluation, routine maintenance, stabilization, repair, weatherization and replacement or historic wooden windows. Resolution No. 10-4 is being presented to the Commission for their reference. No action is required.

Attachment:

- Resolution No. 10-4 (Window Standards)

**RESOLUTION NO. 10-4 (HPRC)**

**A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA AMENDING ESTABLISHED WINDOW STANDARDS FOR DESIGNATED BUILDINGS IN THE DOWNTOWN HISTORIC OVERLAY DISTRICT**

**WHEREAS**, the City of Benicia has an established Downtown Historic Overlay District; and

**WHEREAS**, property owners of designated buildings in the Downtown Historic Overlay District are required to obtain Historic Preservation Review Commission approval to make modifications to their structures; and

**WHEREAS**, on August 18, 2005, October 27, 2005, November 17, 2005, and December 22, 2005, the Historic Preservation Review Commission held public hearings on the establishment of window standards for designated buildings in the Downtown Historic Conservation District, considered the staff report, presentations, and public testimony, and directed staff to draft a Resolution formalizing the Commission's findings; and

**WHEREAS**, on December 22, 2005, the Historic Preservation Review Commission adopted resolution No. 05-14, establishing window standards; and

**WHEREAS**, on May 27, 2010, the Historic Preservation Review Commission reviewed and amended Resolution No. 05-14 to incorporate Preservation Brief 9 as Exhibit A, and clarified the process for verifying feasibility of repair of windows.

**NOW, THEREFORE**, the Historic Preservation Review Commission of the City of Benicia hereby resolves as follows:

**SECTION 1.** The Benicia Historic Preservation Review Commission hereby determines that proposals to modify windows in a designated building in the historic district shall be repaired, if possible, or if replaced, replaced in-kind. Upon verification of feasibility of repair per National Park Service Preservation Brief 9 (Exhibit A), staff is authorized to approve window repairs or replacements meeting the above criteria. Replacement windows shall be those typical of the period and appropriate to the architectural style. Windows may contain low-E and be insulated glass when there are no muntins or true-divided lites. All other repairs and replacements, other than those approved as above, are to be reviewed by the Historic Preservation Review Commission.

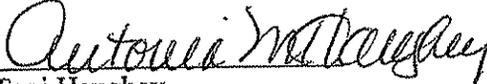
\*\*\*\*\*

The foregoing motion was made by Commissioner Crompton, seconded by Commissioner Mang, and carried by the following vote at a regular meeting of the Commission on May 27, 2010:

Ayes: Commissioners Crompton, Mang, McKee, Taagepera, White and Chair Haughey

Noes: None

Absent: Commissioner Van Landschoot

  
Toni Haughey

Historic Preservation Review Commission Chair

# 9 Preservation Briefs

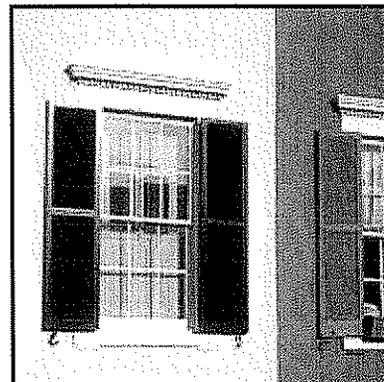
Technical Preservation Services

National Park Service  
U.S. Department of the Interior

## The Repair of Historic Wooden Windows

**John H. Myers**

- » Architectural or Historical Significance
- » Physical Evaluation
- » Repair Class I: Routine Maintenance
- » Repair Class II: Stabilization
- » Repair Class III: Splices and Parts Replacement
- » Weatherization
- » Window Replacement
- » Conclusion
- » Additional Reading



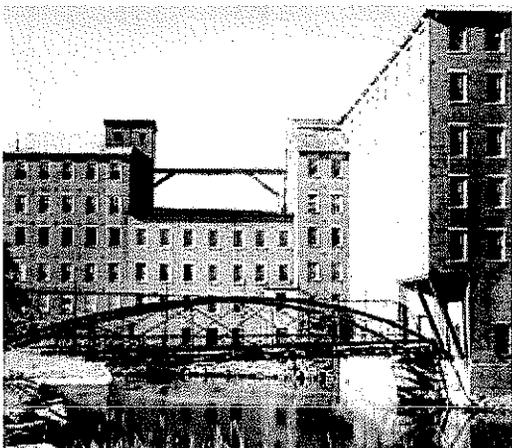
**A NOTE TO OUR USERS:** The web versions of the **Preservation Briefs** differ somewhat from the printed versions. Many illustrations are new, captions are simplified, illustrations are typically in color rather than black and white, and some complex charts have been omitted.

**The windows on many historic buildings are an important aspect of the architectural character of those buildings.** Their design, craftsmanship, or other qualities may make them worthy of preservation. This is self-evident for ornamental windows, but it can be equally true for warehouses or factories where the windows may be the most dominant visual element of an otherwise plain building. Evaluating the significance of these windows and planning for their repair or replacement can be a complex process involving both objective and subjective considerations. *The Secretary of the Interior's Standards for Rehabilitation* and the accompanying guidelines, call for respecting the significance of original materials and features, repairing and retaining them wherever possible, and when necessary, replacing them in kind. This Brief is based on the issues of significance and repair which are implicit in the standards, but the primary emphasis is on the technical issues of planning for the repair of windows including evaluation of their physical condition, techniques of repair, and design considerations when replacement is necessary.

Much of the technical section presents repair techniques as an instructional guide for the do-it-yourselfer. The information will be useful, however, for the architect, contractor, or developer on large-scale projects. It presents a methodology for approaching the evaluation and repair of existing windows, and considerations for replacement, from which the professional can develop alternatives and specify appropriate materials and procedures.

## Architectural or Historical Significance

Evaluating the architectural or historical significance of windows is the first step in planning for window treatments, and a general understanding of the function and history of windows is vital to making a proper evaluation. As a part of this evaluation, one must consider four basic window functions: admitting light to the interior spaces, providing fresh air and ventilation to the interior, providing a visual link to the outside world, and enhancing the appearance of a building. No single factor can be disregarded when planning window treatments; for example, attempting to conserve energy by closing up or reducing the size of window openings may result in the use of *more* energy by increasing electric lighting loads and decreasing passive solar heat gains.



Windows are frequently important visual focal points, especially on simple facades such as this mill building. Replacement of the multi-pane windows with larger panes could dramatically alter the appearance of the building. Photo: NPS files.

Historically, the first windows in early American houses were casement windows; that is, they were hinged at the side and opened outward. In the beginning of the eighteenth century single- and double-hung windows were introduced. Subsequently many styles of these vertical sliding sash windows have come to be associated with specific building periods or architectural styles, and this is an important consideration in determining the significance of windows, especially on a local or regional basis. Site-specific, regionally oriented architectural comparisons should be made to determine the significance of windows in question. Although such comparisons may focus on specific window types and their details, the ultimate determination of significance should be made within the context of the whole building, wherein the windows are one architectural element.

After all of the factors have been evaluated, **windows should be considered significant to a building if they:** **1)** are original, **2)** reflect the original design intent for the building, **3)** reflect period or regional styles or building practices, **4)** reflect changes to the building resulting from major periods or events, or **5)** are examples of exceptional craftsmanship or design. Once this evaluation of significance has been completed, it is possible to proceed with planning appropriate treatments, beginning with an investigation of the physical condition of the windows.

---

## Physical Evaluation

The key to successful planning for window treatments is a careful evaluation of existing physical conditions on a unit-by-unit basis. A graphic or photographic system may be devised to record existing conditions and illustrate the scope of any necessary repairs. Another effective tool is a window schedule which lists all of the parts of each window unit. Spaces by each part allow notes on existing conditions and repair instructions. When such a schedule is completed, it indicates the precise tasks to be performed in the repair of each unit and becomes a part of the specifications. In any evaluation, one should note at a minimum:

- **1)** window location
- **2)** condition of the paint

- **3)** condition of the frame and sill
- **4)** condition of the sash (rails, stiles and muntins)
- **5)** glazing problems
- **6)** hardware, and
- **7)** the overall condition of the window (excellent, fair, poor, and so forth)

Many factors such as poor design, moisture, vandalism, insect attack, and lack of maintenance can contribute to window deterioration, but moisture is the primary contributing factor in wooden window decay. All window units should be inspected to see if water is entering around the edges of the frame and, if so, the joints or seams should be caulked to eliminate this danger. The glazing putty should be checked for cracked, loose, or missing sections which allow water to saturate the wood, especially at the joints. The back putty on the interior side of the pane should also be inspected, because it creates a seal which prevents condensation from running down into the joinery. The sill should be examined to insure that it slopes downward away from the building and allows water to drain off. In addition, it may be advisable to cut a dripline along the underside of the sill. This almost invisible treatment will insure proper water runoff, particularly if the bottom of the sill is flat. Any conditions, including poor original design, which permit water to come in contact with the wood or to puddle on the sill must be corrected as they contribute to deterioration of the window.

One clue to the location of areas of excessive moisture is the condition of the paint; therefore, each window should be examined for areas of paint failure. Since excessive moisture is detrimental to the paint bond, areas of paint blistering, cracking, flaking, and peeling usually identify points of water penetration, moisture saturation, and potential deterioration. Failure of the paint should not, however, be mistakenly interpreted as a sign that the wood is in poor condition and hence, irreparable. Wood is frequently in sound physical condition beneath unsightly paint. After noting areas of paint failure, the next step is to inspect the condition of the wood, particularly at the points identified during the paint examination.



**Deterioration of poorly maintained windows usually begins on horizontal surfaces and at joints, where water can collect and saturate the wood. Photo: NPS files.**

Each window should be examined for operational soundness beginning with the lower portions of the frame and sash. Exterior rainwater and interior condensation can flow downward along the window, entering and collecting at points where the flow is blocked. The sill, joints between the sill and jamb, corners of the bottom rails and muntin joints are typical points where water collects and deterioration begins. The operation of the window (continuous opening and closing over the years and seasonal temperature changes) weakens the joints, causing movement and slight separation. This process makes the joints more vulnerable to water which is readily absorbed into the endgrain of the wood. If severe deterioration exists in these areas, it will usually be apparent on visual inspection, but other less severely deteriorated areas of the wood may be tested by two traditional methods using a small ice pick.

An ice pick or an awl may be used to test wood for soundness. The technique is simply to jab the pick into a wetted wood surface at an angle and pry up a small section of the wood. Sound wood will separate in long fibrous splinters, but decayed wood will lift up in short irregular pieces due to the breakdown of fiber strength.

Another method of testing for soundness consists of pushing a sharp object into the wood, perpendicular to the surface. If deterioration has begun from the hidden side of a member and the core is badly decayed, the visible surface may appear to be sound wood. Pressure on the probe can force it through an apparently sound skin to penetrate deeply into decayed wood. This technique is especially useful for checking sills where visual access to the underside is restricted.

Following the inspection and analysis of the results, the scope of the necessary repairs will be evident and a plan for the rehabilitation can be formulated. Generally the actions necessary to return a window to "like new" condition will fall into three broad categories: **1) routine maintenance procedures, 2) structural stabilization, and 3) parts replacement.** These categories will be discussed in the following sections and will be referred to respectively as **Repair Class I, Repair Class II, and Repair Class III.** Each successive repair class represents an increasing level of difficulty, expense, and work time. Note that most of the points mentioned in Repair Class I are routine maintenance items and should be provided in a regular maintenance program for any building. The neglect of these routine items can contribute to many common window problems.

Before undertaking any of the repairs mentioned in the following sections all sources of moisture penetration should be identified and eliminated, and all existing decay fungi destroyed in order to arrest the deterioration process. Many commercially available fungicides and wood preservatives are toxic, so it is extremely important to follow the manufacturer's recommendations for application, and store all chemical materials away from children and animals. After fungicidal and preservative treatment the windows may be stabilized, retained, and restored with every expectation for a long service life.

## Repair Class I: Routine Maintenance

Repairs to wooden windows are usually labor intensive and relatively uncomplicated. On small scale projects this allows the do-it-yourselfer to save money by repairing all or part of the windows. On larger projects it presents the opportunity for time and money which might otherwise be spent on the removal and replacement of existing windows, to be spent on repairs, subsequently saving all or part of the material cost of new window units. Regardless of the actual costs, or who performs the work, the evaluation process described earlier will provide the knowledge from which to specify an appropriate work program, establish the work element priorities, and identify the level of skill needed by the labor force.



**This historic double-hung window has many layers of paint, some cracked and missing putty, slight separation at the joints, broken sash cords, and one cracked pane. Photo: NPS files.**

The routine maintenance required to upgrade a window to "like new" condition normally includes the following steps: 1) some degree of interior and exterior paint removal, 2) removal and repair of sash (including reglazing where necessary), 3) repairs to the frame, 4) weatherstripping and reinstallation of the sash, and 5) repainting. These operations are illustrated for a typical



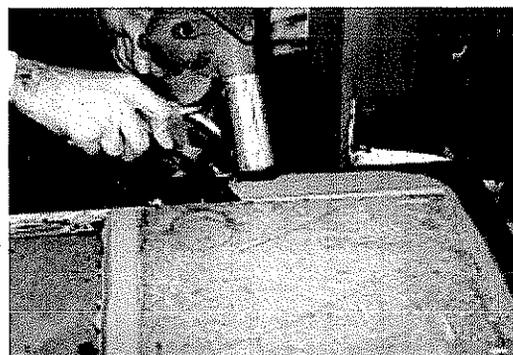
After removing paint from the seam between the interior stop and the jamb, the stop can be pried out and gradually worked loose using a pair of putty knives as shown. Photo: NPS files.

double-hung wooden window, but they may be adapted to other window types and styles as applicable.

Historic windows have usually acquired many layers of paint over time. Removal of excess layers or peeling and flaking paint will facilitate operation of the window and restore the clarity of the original detailing. Some degree of paint removal is also necessary as a first step in the proper surface preparation for subsequent refinishing (if paint color analysis is desired, it should be conducted prior to the onset of the paint removal). There are several safe and effective techniques for removing paint from wood, depending on the amount of paint to be removed.

Paint removal should begin on the interior frames, being careful to remove the paint from the interior stop and the parting bead, particularly along the

seam where these stops meet the jamb. This can be accomplished by running a utility knife along the length of the seam, breaking the paint bond. It will then be much easier to remove the stop, the parting bead and the sash. The interior stop may be initially loosened from the sash side to avoid visible scarring of the wood and then gradually pried loose using a pair of putty knives, working up and down the stop in small increments. With the stop removed, the lower or interior sash may be withdrawn. The sash cords should be detached from the sides of the sash and their ends may be pinned with a nail or tied in a knot to prevent them from falling into the weight pocket.



Sash can be removed and repaired in a convenient work area. Paint is being removed from this sash with a hot air gun. Photo: NPS files.

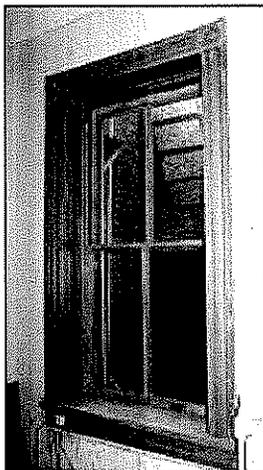
Removal of the upper sash on double-hung units is similar but the parting bead which holds it in place is set into a groove in the center of the stile and is thinner and more delicate than the interior stop. After removing any paint along the seam, the parting bead should be carefully pried out and worked free in the same manner as the interior stop. The upper sash can be removed in the same manner as the lower one and both sash taken to a convenient work area (in order to remove the sash the interior stop and parting bead need only be removed from one side of the window). Window openings can be covered with polyethylene sheets or plywood sheathing while the sash are out for repair.

The sash can be stripped of paint using appropriate techniques, but if any heat treatment is used, the glass should be removed or protected from the sudden temperature change which can cause breakage. An overlay of aluminum foil on gypsum board or asbestos can protect the glass from such rapid temperature change. It is important to protect the glass because it may be historic and often adds character to the window. Deteriorated putty should be removed manually, taking care not to damage the wood along the rabbet. If the glass is to be removed, the glazing points which hold the glass in place can be extracted and the panes numbered and removed for cleaning and reuse in the same openings. With the glass panes out, the remaining putty can be removed and the sash can be sanded, patched, and primed with a preservative primer. Hardened putty in the rabbets may be softened by heating with a soldering iron at the

point of removal. Putty remaining on the glass may be softened by soaking the panes in linseed oil, and then removed with less risk of breaking the glass. Before reinstalling the glass, a bead of glazing compound or linseed oil putty should be laid around the rabbet to cushion and seal the glass. Glazing compound should only be used on wood which has been brushed with linseed oil and primed with an oil based primer or paint. The pane is then pressed into place and the glazing points are pushed into the wood around the perimeter of the pane.

The final glazing compound or putty is applied and beveled to complete the seal. The sash can be refinished as desired on the inside and painted on the outside as soon as a "skin" has formed on the putty, usually in 2 or 3 days. Exterior paint should cover the beveled glazing compound or putty and lap over onto the glass slightly to complete a weather-tight seal. After the proper curing times have elapsed for paint and putty, the sash will be ready for reinstallation.

While the sash are out of the frame, the condition of the wood in the jamb and sill can be evaluated. Repair and refinishing of the frame may proceed concurrently with repairs to the sash, taking advantage of the curing times for the paints and putty used on the sash. One of the most common work items is the replacement of the sash cords with new rope cords or with chains. The weight pocket is frequently accessible through a door on the face of the frame near the sill, but if no door exists, the trim on the interior face may be removed for access. Sash weights may be increased for easier window operation by elderly or handicapped persons. Additional repairs to the frame and sash may include consolidation or replacement of deteriorated wood. Techniques for these repairs are discussed in the following sections.



Following the relatively simple repairs, the window is weathertight, like new in appearance, and serviceable for many years to come. Photo: NPS files.

The operations just discussed summarize the efforts necessary to restore a window with minor deterioration to "like new" condition. The techniques can be applied by an unskilled person with minimal training and experience. To demonstrate the practicality of this approach, and photograph it, a Technical Preservation Services staff member repaired a wooden double-hung, two over two window which had been in service over ninety years. The wood was structurally sound but the window had one broken pane, many layers of paint, broken sash cords and inadequate, worn-out weatherstripping. The staff member found that the frame could be stripped of paint and the sash removed quite easily. Paint, putty and glass removal required about one hour for each sash, and the reglazing of both sash was accomplished in about one hour. Weatherstripping of the sash and frame, replacement of the sash cords and reinstallation of the sash, parting bead, and stop required an hour and a half. These times refer only to individual operations; the entire process took several days due to the drying and curing times for putty, primer, and paint, however, work on other window units could have been in progress during these lag times.

## Repair Class II: Stabilization

The preceding description of a window repair job focused on a unit which was operationally sound. Many windows will show some additional degree of physical deterioration, especially in the vulnerable areas mentioned earlier, but even badly

damaged windows can be repaired using simple processes. Partially decayed wood can be waterproofed, patched, built-up, or consolidated and then painted to achieve a sound condition, good appearance, and greatly extended life. Three techniques for repairing partially decayed or weathered wood are discussed in this section, and all three can be accomplished using products available at most hardware stores.

One established technique for repairing wood which is split, checked or shows signs of rot, is to: **1)** dry the wood, **2)** treat decayed areas with a fungicide, **3)** waterproof with two or three applications of boiled linseed oil (applications every 24 hours), **4)** fill cracks and holes with putty, and **5)** after a "skin" forms on the putty, paint the surface. Care should be taken with the use of fungicide which is toxic. Follow the manufacturers' directions and use only on areas which will be painted. When using any technique of building up or patching a flat surface, the finished surface should be sloped slightly to carry water away from the window and not allow it to puddle. Caulking of the joints between the sill and the jamb will help reduce further water penetration.



This illustrates a two-part epoxy patching compound used to fill the surface of a weathered sill and rebuild the missing edge. When the epoxy cures, it can be sanded smooth and painted to achieve a durable and waterproof repair. Photo: NPS files.

When sills or other members exhibit surface weathering they may also be built-up using wood putties or homemade mixtures such as sawdust and resorcinol glue, or whiting and varnish. These mixtures can be built up in successive layers, then sanded, primed, and painted. The same caution about proper slope for flat surfaces applies to this technique.

Wood may also be strengthened and stabilized by consolidation, using semirigid epoxies which saturate the porous decayed wood and then harden. The surface of the consolidated wood can then be filled with a semirigid epoxy patching compound, sanded and painted. Epoxy patching compounds can be used to build up missing sections or decayed ends of members. Profiles can

be duplicated using hand molds, which are created by pressing a ball of patching compound over a sound section of the profile which has been rubbed with butcher's wax. This can be a very efficient technique where there are many typical repairs to be done. The process has been widely used and proven in marine applications; and proprietary products are available at hardware and marine supply stores. Although epoxy materials may be comparatively expensive, they hold the promise of being among the most durable and long lasting materials available for wood repair. More information on epoxies can be found in the publication "Epoxies for Wood Repairs in Historic Buildings," cited in the bibliography.

Any of the three techniques discussed can stabilize and restore the appearance of the window unit. There are times, however, when the degree of deterioration is so advanced that stabilization is impractical, and the only way to retain some of the original fabric is to replace damaged parts.

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### Repair Class III: Splices and Parts Replacement

When parts of the frame or sash are so badly deteriorated that they cannot be stabilized there are methods which permit the retention of some of the existing or original fabric.

These methods involve replacing the deteriorated parts with new matching pieces, or splicing new wood into existing members. The techniques require more skill and are more expensive than any of the previously discussed alternatives. It is necessary to remove the sash and/or the affected parts of the frame and have a carpenter or woodworking mill reproduce the damaged or missing parts. Most millwork firms can duplicate parts, such as muntins, bottom rails, or sills, which can then be incorporated into the existing window, but it may be necessary to shop around because there are several factors controlling the practicality of this approach. Some woodworking mills do not like to repair old sash because nails or other foreign objects in the sash can damage expensive knives (which cost far more than their profits on small repair jobs); others do not have cutting knives to duplicate muntin profiles. Some firms prefer to concentrate on larger jobs with more profit potential, and some may not have a craftsman who can duplicate the parts. A little searching should locate a firm which will do the job, and at a reasonable price. If such a firm does not exist locally, there are firms which undertake this kind of repair and ship nationwide. It is possible, however, for the advanced do-it-yourselfer or craftsman with a table saw to duplicate moulding profiles using techniques discussed by Gordie Whittington in "Simplified Methods for Reproducing Wood Mouldings," *Bulletin of the Association for Preservation Technology*, Vol. III, No. 4, 1971, or illustrated more recently in *The Old House*, Time-Life Books, Alexandria, Virginia, 1979.

The repairs discussed in this section involve window frames which may be in very deteriorated condition, possibly requiring removal; therefore, caution is in order. The actual construction of wooden window frames and sash is not complicated. Pegged mortise and tenon units can be disassembled easily, if the units are out of the building. The installation or connection of some frames to the surrounding structure, especially masonry walls, can complicate the work immeasurably, and may even require dismantling of the wall. It may be useful, therefore, to take the following approach to frame repair: **1)** conduct regular maintenance of sound frames to achieve the longest life possible, **2)** make necessary repairs in place, wherever possible, using stabilization and splicing techniques, and **3)** if removal is necessary, thoroughly investigate the structural detailing and seek appropriate professional consultation.

Another alternative may be considered if parts replacement is required, and that is sash replacement. If extensive replacement of parts is necessary and the job becomes prohibitively expensive it may be more practical to purchase new sash which can be installed into the existing frames. Such sash are available as exact custom reproductions, reasonable facsimiles (custom windows with similar profiles), and contemporary wooden sash which are similar in appearance. There are companies which still manufacture high quality wooden sash which would duplicate most historic sash. A few calls to local building suppliers may provide a source of appropriate replacement sash, but if not, check with local historical associations, the state historic preservation office, or preservation related magazines and supply catalogs for information.

If a rehabilitation project has a large number of windows such as a commercial building or an industrial complex, there may be less of a problem arriving at a solution. Once the evaluation of the windows is completed and the scope of the work is known, there may be a potential economy of scale. Woodworking mills may be interested in the work from a large project; new sash in volume may be considerably less expensive per unit; crews can be assembled and trained on site to perform all of the window repairs; and a few extensive repairs can be absorbed (without undue burden) into the total budget for a large number of sound windows. While it may be expensive for the average historic home owner to pay seventy dollars or more for a mill to grind a custom knife to duplicate four or five bad muntins, that cost becomes negligible on large commercial projects which may have several hundred windows.

Most windows should not require the extensive repairs discussed in this section. The ones which do are usually in buildings which have been abandoned for long periods or have totally lacked maintenance for years. It is necessary to thoroughly investigate the alternatives for windows which do require extensive repairs to arrive at a solution which retains historic significance and is also economically feasible. Even for projects requiring repairs identified in this section, if the percentage of parts replacement per window is low, or the number of windows requiring repair is small, repair can still be a cost effective solution.

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## Weatherization

A window which is repaired should be made as energy efficient as possible by the use of appropriate weatherstripping to reduce air infiltration. A wide variety of products are available to assist in this task. Felt may be fastened to the top, bottom, and meeting rails, but may have the disadvantage of absorbing and holding moisture, particularly at the bottom rail. Rolled vinyl strips may also be tacked into place in appropriate locations to reduce infiltration. Metal strips or new plastic spring strips may be used on the rails and, if space permits, in the channels between the sash and jamb. Weatherstripping is a historic treatment, but old weatherstripping (felt) is not likely to perform very satisfactorily. Appropriate contemporary weatherstripping should be considered an integral part of the repair process for windows. The use of sash locks installed on the meeting rail will insure that the sash are kept tightly closed so that the weatherstripping will function more effectively to reduce infiltration. Although such locks will not always be historically accurate, they will usually be viewed as an acceptable contemporary modification in the interest of improved thermal performance.

Many styles of storm windows are available to improve the thermal performance of existing windows. The use of exterior storm windows should be investigated whenever feasible because they are thermally efficient, cost-effective, reversible, and allow the retention of original windows (see "Preservation Briefs: 3"). Storm window frames may be made of wood, aluminum, vinyl, or plastic; however, the use of unfinished aluminum storms should be avoided. The visual impact of storms may be minimized by selecting colors which match existing trim color. Arched top storms are available for windows with special shapes. Although interior storm windows appear to offer an attractive option for achieving double glazing with minimal visual impact, the potential for damaging condensation problems must be addressed. Moisture which becomes trapped between the layers of glazing can condense on the colder, outer prime window, potentially leading to deterioration. The correct approach to using interior storms is to create a seal on the interior storm while allowing some ventilation around the prime window. In actual practice, the creation of such a durable, airtight seal is difficult.

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## Window Replacement

Although the retention of original or existing windows is always desirable and this Brief is intended to encourage that goal, there is a point when the condition of a window may clearly indicate replacement. The decision process for selecting replacement windows should not begin with a survey of contemporary window products which are available as replacements, but should begin with a look at the windows which are being replaced. Attempt to understand the contribution of the window(s) to the appearance of the facade including: **1)** the pattern of the openings and their size; **2)** proportions of the

frame and sash; **3)** configuration of window panes; **4)** muntin profiles; **5)** type of wood; **6)** paint color; **7)** characteristics of the glass; and **8)** associated details such as arched tops, hoods, or other decorative elements. Develop an understanding of how the window reflects the period, style, or regional characteristics of the building, or represents technological development.

Armed with an awareness of the significance of the existing window, begin to search for a replacement which retains as much of the character of the historic window as possible. There are many sources of suitable new windows. Continue looking until an acceptable replacement can be found. Check building supply firms, local woodworking mills, carpenters, preservation oriented magazines, or catalogs or suppliers of old building materials, for product information. Local historical associations and state historic preservation offices may be good sources of information on products which have been used successfully in preservation projects.

Consider energy efficiency as one of the factors for replacements, but do not let it dominate the issue. Energy conservation is no excuse for the wholesale destruction of historic windows which can be made thermally efficient by historically and aesthetically acceptable means. In fact, a historic wooden window with a high quality storm window added should thermally outperform a new double-glazed metal window which does not have thermal breaks (insulation between the inner and outer frames intended to break the path of heat flow). This occurs because the wood has far better insulating value than the metal, and in addition many historic windows have high ratios of wood to glass, thus reducing the area of highest heat transfer. One measure of heat transfer is the U-value, the number of Btu's per hour transferred through a square foot of material. When comparing thermal performance, the lower the U-value the better the performance. According to ASHRAE 1977 Fundamentals, the U-values for single glazed wooden windows range from 0.88 to 0.99. The addition of a storm window should reduce these figures to a range of 0.44 to 0.49. A non-thermal break, double-glazed metal window has a U-value of about 0.6.

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## Conclusion

Technical Preservation Services recommends the retention and repair of original windows whenever possible. We believe that the repair and weatherization of existing wooden windows is more practical than most people realize, and that many windows are unfortunately replaced because of a lack of awareness of techniques for evaluation, repair, and weatherization. Wooden windows which are repaired and properly maintained will have greatly extended service lives while contributing to the historic character of the building. Thus, an important element of a building's significance will have been preserved for the future.

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## Additional Reading

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### **Washington, D.C. 1981**

Home page logo: Historic six-over-six windows--preserved. Photo: NPS files.

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*This publication has been prepared pursuant to the National Historic Preservation Act of 1966, as amended, which directs the Secretary of the Interior to develop and make available information concerning historic properties. Technical Preservation Services (TPS), Heritage Preservation Services Division, National Park Service prepares standards, guidelines, and other educational materials on responsible historic preservation treatments for a broad public.*

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