



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING MINUTES

Thursday, July 23, 2009

6:30 P.M.

I. OPENING OF MEETING

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

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

Absent: None

Staff Present:

Lisa Porras, Senior Planner
Sharon Williams, Development Services Tech
Gina Eleccion, Management Analyst

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

II. AGENDA CHANGES AND DISCUSSION

None.

III. OPPORTUNITY FOR PUBLIC COMMENT

- A. WRITTEN**
None.
- B. PUBLIC COMMENT**
None.

IV. CONSENT CALENDAR

Commissioner Taagepera requested the minutes be pulled.

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

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

A. Approval of Agenda

B. Approval of Minutes of June 25, 2009

Commissioner Taagepera requested the minutes be pulled to make the following changes:

1. Change date to June 25th
2. Note Commissioner Taagepera’s abstention from Item IV-C (June 11, 2009 minutes) of the Consent Calendar
3. Add Commissioner Crompton to Consent Calendar vote
4. Note that the fees for 182 East I Street were reduced
5. Under Communications from Commissioners:
 - a. Add request for Housing Element presentation
 - b. Note that Commissioner Taagepera has already submitted a memo in March regarding a re-listing process
 - c. Add question as the timing of the Arsenal EIR being presented to the Commission
 - d. Note that the MND for the Downtown Mixed Use Master Plan states that the Downtown Historic Conservation Plan prevails if there are inconsistencies.

On motion of Commissioner Crompton, seconded by Commissioner Taagepera, the Minutes of June 25, 2009 were approved, with modifications, by the following vote:

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

V. REGULAR AGENDA ITEMS

A. 5990 EAST SECOND STREET (CHEVRON/CARL’S JR.) – EXTERIOR DESIGN REVIEW

09PLN-38 Design Review
5990 East Second Street; APN: 80-100-020

PROPOSAL:

The applicant requests approval of exterior changes for an existing restaurant, associated fuel station, and convenience store at 5990 East Second Street. The project consists of repainting the exterior of the restaurant, convenience store, fuel canopy, car wash, monument sign, and pylon sign.

Recommendation: Grant design review approval for exterior changes at 5990 East Second Street (Chevron/Carl’s Jr.), based on the findings, and subject to the conditions listed in the proposed resolution and as discussed during the public hearing.

Sharon Williams, Development Services Technician, gave an overview of the project.

Commissioners questioned the canopy sign. Sharon Williams noted that signage is approved at the staff level. Sharon Williams noted that the Carl’s Junior red will be different. A question was asked regarding condition #6.

Tony Robustelli, Project Manager – He gave an overview of the project. The colors for the Chevron and Carl’s Jr. branding are similar. He was available to answer questions.

The public hearing was opened. No public comment. The public hearing was closed.

Commissioners stated that they liked the project.

Commissioner Donaghue would like to remove Condition #6. Sharon Williams noted that we receive many complaints regarding trash, so staff is looking at ways to formalize this. Commissioners agreed to leave Condition # 6 as proposed.

RESOLUTION NO. 09-12 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR EXTERIOR MODIFICATIONS AT 5990 EAST SECOND STREET (09PLN-38)

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

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

B. 127 FIRST STREET (THE TANNERY) – EXTERIOR DESIGN REVIEW

Original Application No. 09PLN-01 Approved January 22, 2009
Current Item is for Design Review of Conditioned Items plus revisit South Façade 127 First Street; APN: 89-244-050

PROPOSAL:

The applicant requests design review approval of proposed signage, refuse storage area, an outdoor patio windscreen, and installation of new entry doors along the eastern façade (First Street) of an existing building known as The Tannery. Modifications to approved plans that were made during construction of the south facing façade will also be discussed. The Historic Preservation Review Commission originally approved improvements to the south facing façade on January 22, 2009.

Recommendation:

- A. Approve modifications at the Tannery building, which consist of new signage, redesigned refuse storage area, a new outdoor patio windscreen and wall, and installation of new entry doors along First Street at the existing building located at 127 First Street based on the findings and subject to the conditions listed in the proposed resolution.

- B. Review and discuss changes made during construction to the pre-approved window and door configurations along the south facing elevation, and direct staff whether to release stop work order and complete construction along this façade.

Lisa Porras, Senior Planner, gave an overview of the project. She noted that there is a request for additional design review, as well as review of on-site modifications made to previous design review approval on the south façade of the building. The new design review request was highlighted. She noted the alterations that were made contrary to HPRC's approval. Staff is requesting the Commission review the changes and either approve or provide direction to the applicant to make changes. The placement and configuration of the windows and doors changed and was noted by the Building Inspector. Lisa Porras noted that the changes made in the field, however, would still be consistent with the Downtown Historic Conservation Plan.

Commissioners questioned if the lateral analysis request was in writing. The applicant stated that it was in writing. Commissioners questioned if direction was given to the applicant regarding instructions subsequent to the lateral analysis. Lisa Porras noted that the Planner signs off on the plans submitted for the building permit. She noted that if changes to approved plans are made, they must be submitted in writing and approved. Commissioners questioned if the new configuration complies with the lateral analysis. Lisa Porras stated that the Building Official makes that determination, but she noted that no additional work would be allowed unless it passes Building inspection.

Commissioners questioned the compliance with the sign ordinance. Lisa Porras noted that staff evaluated the signs for consistency with the Downtown Historic Conservation Plan. Lisa Porras noted that the brick veneer will match the existing. There were questions as to size of the brick and whether a sample has been submitted. Lisa Porras noted that no sample has been submitted. There was a comment regarding using brick on the west wall of the garbage enclosure for consistency. The trash enclosure was discussed in terms of the shared use with the neighboring property. There was a request to see samples of the hunter green color of the roof and the trash enclosure door. There was a question regarding

the doors opening out on the west side of the building, particularly due to wind conditions. Lisa Porras noted that the approved condition could be that samples are brought back to staff or to the Commission.

Commissioners questioned which portion of the wall would be painted white. Lisa Porras noted that this would be the western facing wall of the trash enclosure. She noted that this would be consistent with the DHCP, however, the Commission could condition this otherwise. Commissioners questioned the aluminum signage materials. Sharon Williams noted that as directory signs, the material is more flexible. The aluminum is a more durable material for this use. Commissioners discussed the overall signage for the building. Sharon Williams noted that the applicant can enter into a sign program that would dictate what signs can and can't be installed for his tenants. Currently, there is no sign program for this property. Commissioners questioned limiting the amount of signs on the building. Lisa Porras suggested a condition requiring a sign program for the property.

The Downtown Streetscape Plan was mentioned. It was noted that the Main Street Design Board is reviewing the Plan.

Jim Morgan, Applicant – He addressed the concerns of the Commission. He noted that they continue to work with BCDC for approvals. There was no intention to deviate from the plans, but rather to address issues from the lateral analysis. Based on feedback from a structural engineer, the windows were relocated. He commented on the new design review requests. Regarding the windscreen, they would like to request a 10'6" height, which is a reduction from the previous windscreen's 14' height. He addressed the issue of multiple materials (brick and stucco). The white façade was meant to blend in with the Captain Blyther's structure. He would be happy to submit samples for review. Regarding signage, they are willing to discuss a sign program so the tenants have an opportunity to advertise. He noted that the interior walls are now the original brick.

Commissioners questioned if the engineer had any other suggestions to address the lateral analysis issues. Jim Morgan stated that he was not aware of any other suggestions.

Commissioners questioned the window modifications made. The applicant noted that the entire wall is a shear wall. The project architect noted that the entire south wall is shear wall. There were concerns by the Commission that the windows could have remained in the original location. The applicant noted that they followed the recommendations of a certified engineer. Commissioners questioned if the engineer had the original plans. The applicant stated that he did. The applicant stated that the windows and doors were installed within the last 2 months. There were concerns raised with the timing of the installation and the engineer's recommendation. There were questions on the height of the windscreen. The applicant confirmed that they would like 10'6".

The architect noted that the restaurant interior has been modified per the current window location.

The public hearing was opened. No public comment. The public hearing was closed.

Commissioners discussed the project. They asked if the Building Official accepted these changes. Lisa Porras stated that she is not aware that the Building Official was informed of the new window locations. She noted that a stop work order was issued on this project because the configuration of the windows was different than the approved plans.

Commissioners discussed the signage, particularly the fonts proposed. There is concern that the signage is too “busy”. Lisa Porras stated that this can be conditioned. Commissioners would like a brick sample. If awnings are proposed, this would come back to the Commission. The Commissioners would like to see the brick extended on the west side of the trash enclosure.

Commissioners commented that if the window and door configuration meets the structural concerns of the Building Division, there is no desire to move the location. There is a suggestion to set the patio wall back 3-4”. Commissioners would like the windscreen to be 10’ and would like a sign program developed and brought back to the Commission. Sharon Williams noted that if a sign program is required, all signs would be looked at as a holistic approach.

Commissioners noted that the windows and doors appear to be consistent with the DHCP. The applicants were commended for investing money into the downtown.

Commissioners expressed frustration with this project continuing to come back. There is a desire to see a comprehensive plan for this property. Commissioners would like to see brick samples and the engineer’s report. There was a suggestion to continue the item to bring back samples, the engineer’s report, a sign program, and any other modifications to this property. Commissioners discussed the possibility of continuing this item. Commissioners noted that they requested this project not be piece-mealed. Commissioners questioned the previous height of the windscreen. The applicant noted it was 14’, so the proposed height of the new windscreen would be lower.

The applicant confirmed that the interior of the trash enclosure will be fiber-reinforced plaster.

Commissioners requested the following modifications to the Resolution:

1. Condition #3, 4, 8, 9 – Sign program to be brought back to the Commission.
2. Condition #7 – reviewed by HPRC
3. Condition #10 – Windscreen height to 10’.
4. Condition #11 – new wall shall be 10’ brick veneer (change to concrete block), with return wall to be offset minimum 3”.
5. Condition #12 – All exterior facades of the trash enclosure shall be brick veneer.
6. Add condition that brick, roofing materials, stucco and paint samples be brought back to the Commission for approval.

RESOLUTION NO. 09-13 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW OF A NEW PATIO WINDSCREEN AND WALL, REFUSE STORAGE AREA, SIGNAGE, AND NEW ENTRY DOORS ALONG THE EAST ELEVATION AT THE TANNERY BUILDING LOCATED AT 127 FIRST STREET

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

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

Commissioner Donaghue stated that he did not believe the window locations needed to be moved.

C. MILLS ACT COMPLIANCE REPORT

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

Gina Eleccion gave an overview of the report. There are a few properties that are not in compliance. Staff is working with those homeowners. The Commission can provide direction to staff in terms of non-compliant property owners.

Commissioners commented on non-compliant issues. Regarding 166 West H, Commissioners requested documentation from the property owner as to compliance.

VI. COMMUNICATIONS FROM STAFF

A. ANNUAL STATUS OF CITY-OWNED HISTORIC STRUCTURES

The Parks and Community Services Department has prepared a maintenance update of City-owned historic structures.

The annual status report was provided by the Parks and Community Services Department.

B. TRAINING FOLLOW-UP

Staff will give an overview of the June 19th historic preservation training seminar in Columbia, CA.

Gina Eleccion gave an overview of the seminar. Training materials were distributed to the commissioners. Commissioners noted that this was a good seminar.

Gina Eleccion noted that she has been working closely with SHPO on the historic context grant. In addition, she noted that a Request for Services to review the IOOF will be going out next week. Staff will bring this information back to the Commission.

Gina Eleccion noted that the Climate Action Plan, County HazMat Plan update and relisting process will be agendized at the joint PC/HPRC meeting in August. The Arsenal Specific Plan will be agendized for the September meeting.

Lisa Porras noted that we may want to hold a special workshop on the Housing Element. She noted that there are some suggestions for using 2nd units in the H Overlay District to address housing.

VII. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Haughey questioned the use of the Consent Calendar in terms of Jack in the Box vs. Chevron. Staff noted that staff weighs the complexity of the project when agendizing the item.

Commissioners questioned the lack of samples on the Tannery project. They commented on the piece-mealing of the project.

Commissioners would like to agendize a discussion on city-owned structures. They do not feel that the Parks Dept. staff needs to be involved at this point.

Commissioner White commented on the memo he submitted. He would like to make sure that the city-owned historic structures are being taken care of. He would like to see Amports contacted to address the Yuba property.

Commissioner Taagepera invited everyone to a July 28th presentation on Sustainability and Preservation. It will be held at 7pm at the Camellia Tea Room.

VIII. ADJOURNMENT

Chair Mang adjourned the meeting at 9:32 p.m.