September 22, 2011

BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

REGULAR MEETING AGENDA

City Hall Commission Room

Thursday, September 22, 2011

6:30 P.M.

I. OPENING OF MEETING:

A. Pledge of Allegiance

B. Roll Call of Commissioners

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

II. ADOPTION OF AGENDA:

III. OPPORTUNITY FOR PUBLIC COMMENT

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

A. WRITTEN COMMENT

B. PUBLIC COMMENT

IV. PRESENTATIONS

None.

V. 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 August 25, 2011

VI. REGULAR AGENDA ITEMS

A. 963 JEFFERSON STREET – DESIGN REVIEW (CONTINUED FROM JULY 28, 2011)

08PLN-00028 – Design Review

963 Jefferson Street, APNs: 0080-150-020 and 0080-150-030

PROPOSAL:

At the HPRC hearing of July 28, 2001, the Commissioners requested more information on the following: (1) design of bathrooms, (2) details of lattice wall, dimensions, materials; (3) railings to be constructed per the Historical Building Code; (4) reconstruct front porch at original size; (5) information on columns, cost analysis, precedent on National Register properties; (6) Wrought iron rail details, and to revise plans showing abovementioned changes. These items have been addressed by the applicant and are now ready for consideration by the HPRC.

Recommendation: Approve design review request based on additional items addressed and changes presented.

B. 235 EAST L STREET

11PLN-00047 – Design Review

235 East L Street, APN: 089-243-140

PROPOSAL:

The applicant requests design review approval to make exterior modifications to the west facing façade by adding a dormer to the 2nd story, and to install four new gates in the yard area: one at the driveway, one at the main entrance path, one in the rear yard, and one in the east side yard. In addition, the applicant requests to install a vegetable garden in the rear yard and two new shade trees in the front yard. Last, the applicant is proposing to change the mechanization of the garage door by converting it into a sliding door.

Recommendation: Approve the design review request to alter the mechanization of a garage door, install a dormer on the second story of the main building, and perform site work consisting of installation of four new gates, a vegetable garden, and two new shade trees located at 235 East L Street, based on the findings and conditions of approval set forth in the proposed resolution.

VII. COMMUNICATIONS FROM STAFF

VIII. COMMUNICATIONS FROM COMMISSIONERS

IX. 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 agendized and non-agendized 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 Public Works & 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 Public Works & Community Development Department during regular working hours. The Public Works & Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). Technical staff is available from 8:30 - 9:30 a.m. and 1:00 - 2:00 p.m. only. If you have questions/comments outside of those hours, please call 746-4280 to make an appointment. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us 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 Public Works & Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Commission Room. If you wish to submit written information on an agenda item, please submit to Lisa Porras, Senior Planner, as soon as possible so that it may be distributed to the Historic Preservation Review Commission.

draft Minutes of August 25, 2011 meeting
963 Jefferson St -- Staff Report
Staff Report for 235 East L Street

DRAFT

BENICIA HISTORIC PRESERVATION REVIEW COMMISSION
REGULAR MEETING MINUTES

City Hall Commission Room
Thursday, August 25, 2011
6:30 P.M.

I. OPENING OF MEETING:

A. Pledge of Allegiance
B. Roll Call of Commissioners

Present: Chair Crompton; Commissioners Haughey, Mang, McKee, Taagepera, Van Landschoot

Absent: None

Staff Present: Lisa Porras, Senior Planner

II. ADOPTION OF AGENDA:

Ayes: Chair Crompton; Commissioners Haughey, Mang, McKee, Taagepera, Van Landschoot

Noes: None

III. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN COMMENT
None.

B. PUBLIC COMMENT
None.

IV. PRESENTATIONS

None.

V. CONSENT CALENDAR

A. Approval of Minutes of July 28, 2011

Commissioner Taagepera pulled the minutes and recommended to remove the sentence that read, "The restrooms were discussed", located on the first paragraph, page 4, last sentence of the minutes.

Ayes: Chair Crompton; Commissioners Haughey, McKee, Taagepera, Van Landschoot
Noes: None
Absent: None
Abstain: Commissioner Mang

VI. REGULAR AGENDA ITEMS

A. 301 & 305 First Street – DESIGN REVIEW

11PLN-00039 – Design Review
301 & 305 First Street, APN: 089-243-140

PROPOSAL:
On October 23, 2008, the HPRC approved Design Review to modify an existing single-story structure at 301 First Street by raising it and adding a story underneath. Design Review approvals are valid for two years unless made permanent by issuing a Building Permit. Because no building permits have been issued, approval for this project has expired. The applicant is requesting Design Review approval once again based on the same submission presented to the Commission on October 23, 2008. In addition, the applicant requests installation of a service delivery ramp and door to an adjacent single story structure, which is a Contributing structure to the Downtown Historic District and located at 305 First Street.

Recommendation: Approve proposed modifications to an existing structure at 301 First Street to accommodate new retail and office uses, and a new service ramp and door at 305 First Street, based on the findings and subject to the conditions listed in the proposed resolution.

Lisa Porras, Senior Planner, gave an overview of the project.

Questions from Commissioners

Commissoner Haughey asked why a 2 ½ foot street wall was placed in between the buildings at 305 and 301 First Street; why the ceiling height of the proposed

new ground floor on the lumber shed was 12 feet tall, and stated that the 12 foot ceiling height for the first floor was an issue during the project's previous design review approval and there was a condition in that approval requesting it be lowered.

Comments by Commissioners

Commissoner Taagepera stated her recommendations: (1) first floor ceiling height should be limited to 9 feet tall, (2) remove 2 ½ street wall in between 305 and 307 First Street, (3) include the standard language in the resolution referencing design review approval expiration dates, and (4) modify condition number four to read any alteration must be reviewed and approved by the HPRC, not the Public Works and Community Development Director.

Commissioner Mang agreed with Commissoner Taagepera and further stated that the low level street wall should be removed, and the gate's location and height is acceptable.

Chair Crompton agreed. He stated that the street wall should be removed, that the gate is fine as is.

Commissioner Haughey asked the applicant if they would be open to simplifying the gate design, perhaps by removing the curved shape of the gate door. Ms. Haughey further stated that the City's Zoning Ordinance states that in the event of a conflict between the Downtown Mixed Use Master Plan and the Downtown Historic Conservation Plan, the Downtown Historic Conservation Plan shall prevail. For this reason, the street wall and the first floor ceiling height should be changed to be consistent with the Conservation Plan.

Public Hearing

Phil Joy, project applicant, stated that he had no problem removing the low level street wall, and reducing the shed's first floor ceiling height to 9 feet tall.

Motion

A motion was made by Commissioner Mang and seconded by Commissioner Haughey to approve the project subject to the following modifications:

1. staff shall include a finding in the resolution stating that the project is consistent with applicable standards and guidelines, and include a citation that the Downtown Historic

Conservation Plan supersedes the Downtown Mixed Use Master Plan in the event of a conflict, and

2. the first floor ceiling height of the shed shall be limited to 9 feet maximum, and
3. the 2 ½ foot street wall between 305 and 307 First Street shall be removed, and
4. change condition #4 to require HPRC review and approval of any alterations, rather than the Public Works and Community Development Director, and
5. include a condition stating that design review approval is valid for a period of two years, except that a 1 year extension may be granted if requested in writing prior to the 2 year expiration date.

Ayes:	Chair Crompton, Commissioners Haughey, Taagepera, and Van Landschoot
Noes:	None
Abstain:	Commissioner Steve McKee
Absent:	None

VII. COMMUNICATIONS FROM STAFF

None.

VIII. COMMUNICATIONS FROM COMMISSIONERS

Staff should inform Commissioner White that he may continue to serve on the HPRC until a replacement is found.

IX. ADJOURNMENT

Chair Crompton adjourned the meeting at 7:40 PM.

AGENDA ITEM
HISTORIC PRESERVATION REVIEW COMMISSION MEETING
September 22, 2011
REGULAR AGENDA ITEM

DATE : September 14, 2011

TO : Historic Preservation Review Commission

FROM : Mark Rhoades, AICP
Interim Land Use and Engineering Manager

SUBJECT: : **CONTINUED DESIGN REVIEW FOR THE REHABILITATION OF THE OFFICERS QUARTERS DUPLEX LOCATED AT 963 JEFFERSON STREET**

PROJECT : 08PLN-00028 – Design Review
963 Jefferson Street – Officers Quarters Duplex
APNs: 0080-150-020 and 0080-150-030

RECOMMENDATION:
Approve a design review request for exterior modifications to the existing Officers Quarters Duplex located at 963 Jefferson Street, based on recommended modifications by staff, the findings and subject to the conditions of approval set forth in the proposed resolution.

EXECUTIVE SUMMARY:
This project consideration was continued to this meeting from the meeting of July 28, 2011. The property owner requests design review approval to rehabilitate the Officers Quarters Duplex located at 963 Jefferson Street in the Benicia Arsenal Historic District for future use as a restaurant and potentially a Bed and Breakfast Inn (which requires Zoning Administrator use approval). The primary elements of the proposed project have been revised by the applicant pursuant to the HPRC's direction at their July meeting and include:

1) Demolition of the existing brick moat retaining wall and enlargement of the moat on the east, south and west facades that includes the construction of a new moat with a concrete-masonry unit (CMU) retaining wall;
2) Reconstruction of the east veranda, including replacement of the existing sandstone piers with a CMU wall with sandstone faces at pier locations and white painted lattice that will also serve as the expanded moat retaining wall, restoration of the original wood balustrades with 42" high ones and replacement of the wood Corinthian columns with wood replicas;
3) Reconstruction and enlargement of the moat at the northwest corner of

the building that will function as a sub-grade courtyard and be used for restaurant dining. The new courtyard will span approximately 35 feet at its widest area and extend approximately 80-feet along the west façade. The removal of a mature sycamore tree will be necessary to construct this element; and

4) Reconstruction and enlargement of the south-facing entry porch that includes constructing the base with CMU and cladding with wood, constructing new stairs, replacing wood Corinthian columns to support the roof, restoring the original pilasters, constructing a new porch roof and replacing wood tongue-and-groove decking.

ENVIRONMENTAL ANALYSIS:

The project as currently proposed does not comply with Standards 2, 5, 6, 9 and 10 for Rehabilitation under the Secretary of the Interior's Standards for the Treatment of Historic Properties. Pursuant to Environmental Quality Act (CEQA) Guidelines subsection 15064.5(b), a "project with an effect that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment." Therefore, the completion of an Initial Study to determine whether it may have a significant effect on the environment would be required.

However, if the project's scope of work is modified as recommended by HPRC in July 2011, and by staff in this report, the rehabilitation of the Officers Quarters Duplex would be 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.

BACKGROUND:

The subject property is 1.2 acres in size and located on the north side of Jefferson Street, between Park Road and Washington Street (see Figure A). The General Plan and Zoning designation for the property is Lower Arsenal Mixed Use and Office Commercial, respectively, and the adjacent land uses include: General Industrial to the north; Office Commercial to the east and south; and Office Commercial, Medium Density Residential and Public & Semi-Public to the west of the property.

The Officers Quarters Duplex was constructed in 1874 by the U.S. Army to serve as housing for military officers stationed at the Benicia Arsenal. This particular building is similar in design to two other former residences, known as the Lieutenant's and Commanding Officer's Quarters. Although the other residences were constructed earlier, in 1861 and 1860, respectively, the subject building was designed in a decorative Italianate style. The Officers Quarters

Duplex was listed as a contributing building within the Benicia Arsenal National Register Historic District in 1975, and is by default also listed in the California

Figure A: 963 Jefferson Street – Officers Quarters Duplex

Figure B: Officers Quarters Duplex (c. 1944)

Register of Historical Resources. Also at the State level, the Arsenal is listed as California State Landmark No. 176, which is known locally as the City of Benicia Local Historic Arsenal District. This local district adopted by the City Council in 1987 is larger than and incorporates the National Register Historic District. The Officers Quarters Duplex was recorded by the Historic American Building Survey (HABS) with documentation dating from 1944 and 1976 (see Figure B).

PROJECT DESCRIPTION AND ANALYSIS:
Proposed rehabilitation work that will affect the exterior of the building will primarily involve the eastern veranda, south-facing front porch and northwestern porch. Drawings submitted by the applicant and dated June 7, 2011 depicted the scope of work as described below. For each section staff has modified **in bold** where there has been a change on the plans subsequent to the July meeting:

Reconstruction and Enlargement of Moat (Item 1)
Enlargement of the moat will occur along the east, south and west façades where a narrow moat currently borders the foundation of the building, functioning as a light well and providing air to the sub-grade basement windows. The moat has a dirt floor and brick retaining wall that is capped with a sandstone curb in most areas where it is not concealed under a porch (see Figure C). The moat is about 2 feet wide and will be extended to 8 feet under the eastern veranda and 11½ feet under the front porch. The moat will also be significantly enlarged to incorporate a sub-grade courtyard along the west façade of the building (Item 3). This will be accomplished by demolishing the existing retaining wall and constructing a new, wider wall with concrete masonry units (CMU).

Figure C: Brick moat retaining wall and sandstone piers under east veranda

Analysis and Recommendation: The existing moat is a unique feature, uncommon in the general geographic area and should be preserved in its current state where possible as a character-defining feature of the property. Its enlargement has impacts on the spatial relationships of the site and the way it relates to the building it surrounds. It is acceptable to enlarge the moat in areas where it will be concealed, such as beneath the porches and verandas. It is also acceptable to enlarge the moat for use as a sunken courtyard because the installation of modern materials such as tile flooring and metal railing will indicate the feature is of modern construction. In other areas where the moat is readily visible, it is necessary that it be preserved with the existing brick and sandstone curb and maintained at its current dimensions in order to differentiate new and original construction. Specifically, the moat should be preserved and not enlarged along any façade if it is not directly under a porch or veranda, and is not integral to the new sunken courtyard.

The plans have been revised to show a CMU wall foundation covered with a white painted lattice treatment and sandstone facing at pier locations for the areas under the veranda on the north, south, and east elevations. The small windows previously shown on the lattice on the East elevation have been removed. The west elevation is revised to show wrought iron fence with a detail (plan page A.2). The applicant still proposes to widen the moat to 3' but staff has conditioned the project to retain the south moat in its current configuration.

<u>Reconstruction of East Veranda (Item 2)</u>
On the east side of the building, the moat will be extended to the edge of the veranda and the new CMU retaining wall will rise above grade to support the edge of the veranda's deck. The solid wall is necessary to make the expanded moat under the veranda watertight where mechanical features will be installed. The CMU wall will replace the existing sandstone piers, which are deteriorated beyond repair due to erosion. The area under the Corinthian columns where the sandstone piers are currently located will have a sandstone veneer to reference their original location (see Figure D). In addition, 31" x 15" windows will be installed along the face of the retaining wall in the spaces between the sandstone veneer with white painted lattice placed in front of the windows to reference the historical appearance of the open underside (see Project Plans, Sheet A-3). Reconstruction of the veranda will also include restoration of the original wood balustrades and replacement of the deteriorated wood Corinthian columns with polymer replicas.

Analysis and Recommendation: The proposal to construct a new CMU retaining wall that will rise above grade to support the eastern veranda in place of the sandstone piers is not compliant with the Secretary of the Interior's (SOI) Standards Nos. 5, 6 and 9 because it destroys distinctive features and material

and replaces them with new, different and incompatible materials. The construction of a solid CMU wall enclosing the underside of the veranda is also not compliant with SOI Standard No. 5 because it will remove a character-defining feature and construction technique. It is recommended the piers be replaced with poured concrete piers that have a sandstone veneer, with their form as individual square piers maintained. If it is absolutely critical to have the expanded moat area water tight, an alternative recommendation is to substantially increase the size of the proposed 31″ x 15″ windows under the veranda so there is the appearance of an open underside that may also provide light and air as originally intended.

Figure D: East veranda

The project proposes to replace the historic wood Corinthian columns with polymer replicas. Although this may not be compliant with SOI Standard Nos. 5 and 6, which advise against the destruction of distinctive materials and recommend that deteriorated features be replaced in-kind, the applicant has communicated that the remaining columns are not salvageable, replacement wood columns would be cost-prohibitive, and the change in material from wood to polymer plastic will not result in a discernable contrast in texture and overall appearance. SOI Guidelines specify that a "substitute material is acceptable if the form and design as well as the substitute material itself convey the visual appearance of the remaining parts of the feature and finish." Based on the visual inspection that was made during the March 2, 2011 site visit, the replacement of the original columns with polymer replicas would be

acceptable if the applicant provides documentation from a qualified conservator that the historic columns are not salvageable.

At their July meeting the HPRC discussed the placement of the new CMU wall that would extend from the bottom of the moat to the base of the porch. The extension of the height of the moat wall is noted by the applicant as necessary to prevent further water intrusion. It was the HPRC's determination that the proposed treatment of black painted CMU wall covered with lattice could still "tell the story" of the original void space under the porch. The windows under the veranda that were previously shown on the exterior of the new CMU wall have been removed. Sheet A-5.1 provides a detail of the lattice over black painted brick. The applicant has modified the plans to reflect wooden column replicas and sandstone veneer on the column supports.

New Sub-Grade Courtyard (Item 3)

At the northwest corner of the building adjacent to the porch, the moat will be significantly enlarged to incorporate a sub-grade courtyard that will be used for restaurant dining (see Figure E). The courtyard will extend 35 feet from the edge of the porch at its widest location from the northwest façade of the building, 11½ feet from the southwest façade and extend a total of 80 feet in depth parallel to the building's face. The courtyard will be constructed of a CMU retaining wall, a 3-foot 6-inch wrought iron guardrail, stamped concrete flooring, concrete stairs and a wheelchair lift (see Project Plans, Sheet A-7). A mature sycamore tree will be removed in order to construct this element.

Figure E: Location of new courtyard adjacent to porch

Analysis and Recommendation: Although the construction of the sunken courtyard will remove historic materials and alter the existing spatial relationships of the moat in that location, it will not be in a prominent location and will be differentiated from the original character of the moat so that it can readily be interpreted as a modern alteration. Although it was suggested to use bricks that will be removed during expansion of the moat in some areas to cover the new retaining wall and porch supports, this should not be done in order to differentiate new from original construction. In summary, the courtyard will generally be compatible with the historic materials, features, size, scale, proportion and massing of the rest of the property.

The applicant has provided a detail (sheet A-2) for the black wrought iron fencing that will be installed around the expanded moat/courtyard. No bathrooms are proposed any longer either as an addition or as a separate structure.

Reconstruction and Enlargement of South Entry Porch (Item 4)

On the south side of the building, the entry porch will be reconstructed and enlarged. It is currently 5 feet deep from the wall of the building and will be enlarged to 11½ feet according to the plans, which also includes the expansion of the moat to house mechanical equipment (see Figure F). The applicant has since indicated the porch and moat will only be extended to either 6½ feet or 8 feet, which should be clarified. The deteriorating porch, which is missing many original components, will otherwise be reconstructed to its original appearance, based on historic drawings and photographs. The base of the porch, which is currently enclosed with shiplap siding and is missing stairs, will be rebuilt of CMU and clad with stucco or covered with wood lattice (see Project Plans, Sheets A-1 and S-2). New stairs extending from the east and west sides of the porch will be reconstructed and the original, restored wood balustrade will span the front of the porch. Again, the original wood Corinthian columns have deteriorated beyond repair and will be replaced with polymer replicas, but the pilasters remain and will be restored. The porch roof will be rebuilt because of deterioration and to enlarge it to the desired dimensions. Deteriorating modillions at the porch's roofline will be replaced; a dozen with original components that have been retained and the remainder with reconstructed duplicates. Finally, the decking will be replaced with wood tongue-and-groove boards, as originally constructed.

Figure F: Front entry porch

Analysis and Recommendation: In reconstructing the front porch to its original dimensions, as many original elements as possible should be retained, while those that are too deteriorated to be salvaged should be replaced in-kind. The base of the porch should be enclosed with wood shiplap siding, as it was originally, and not with stucco or CMU overlaid with wood lattice as shown on the plans. SOI Standard No. 10 specifies that new additions "will be undertaken in a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." Furthermore, its Guidelines specifically do not recommend, "attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed." Therefore, one way to comply with this Standard is to build an extension onto the reconstructed original porch, rather than enlarging it. That way, if the change was ever to be reversed, the extension could be removed and the original features could be reapplied to the original portion of the porch. A second option would be to construct an entirely new, larger porch in a new design that is compatible with the remaining character-defining features of the building. This new design must take into account the size and scale of the building and most importantly should be clearly differentiated so that a false historical appearance is not created.

Plans are revised to show the reconstructed and extended porch clad in shiplap wood siding as directed by HPRC in July. The porch depth is shown as 8' on elevations but scales at 12' on the site plan. The project is conditioned for an 8' deep porch, unless this dimension is revised by the HPRC. The applicant is still proposing to widen the moat to 3' along the south elevation to allow access to

mechanical equipment that the applicant would like to place under the porch. The staff recommendation is to leave the moat as is at this location, but to allow the porch expansion per the HPRC's guidance at the last meeting.

<u>Replacement of Wooden Railings, Generally</u>
The applicant has indicated that although the Historic Building Code would allow it, his liability exposure is too significant relevant to the intended use to leave the railings at the pre-existing 32" height. He is proposing to replace them with period looking 42" high railings. Staff believes that the 42" high railings are consistent with the Secretary of Interior's standards because they are differentiated from the original railings, and could easily be removed and replaced in the future if there was a desire to do so. The proposed project will likely have many people using the porches and the safety issue is important.

All other portions of the house's exterior will remain unaltered by the proposed project. Although some alterations have occurred since the building's original construction that have changed its appearance, (such as stucco wall cladding; stucco obscured details like quoining, belt courses and lintels; removal of parapet, etc.), these will not be reversed by the prposed rehabilitation effort.

<u>Secretary of the Interior's Standards for Treatment of Historic Properties</u>
The subject property is a Historic Landmark Building and 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 has evaluated this project under the Treatment of Rehabilitation and further evaluation of the project's consistency with the Standards is attached to this staff report.

<u>Zoning Ordinance Consistency</u>
The proposed commercial use of this property as a Bed and Breakfast Inn is permitted within the Office Commercial zoning district upon approval of a use permit by the Public Works & Community Development Director. A use permit from the Planning Commission will also be required if the restaurant wishes to provide full alcoholic beverage service.

<u>Design Review Finding</u>
Pursuant to BMC §17.108.040, the finding can be made that the proposed rehabilitation of the Officers Quarters Duplex is consistent with the purposes of design review. Specifically:

- The location and configuration of the exterior modifications are visually harmonious with its site and with surrounding sites and structures, and will not unnecessarily block scenic views from other buildings or public parks or dominate its surroundings to an extent inappropriate to its use. The rehabilitation of the property includes the repair and replacement

of existing architectural elements and the construction of a sub-grade courtyard that will be visuially harmonious with its site and surroundings structures. These improvements will not block any scenic views or dominate its surroundings.

- The architectural design of the exterior modifications, its materials and colors are visually harmonious with surrounding development and with the natural landforms and vegetation of the areas in which it is proposed to be located. The rehabilitation will incorporate either the same or compatible materials, colors and finishes as the existing building. Other materials such as concrete and wrought iron will compliment the building's existing materials, colors and finishes.

- The exterior modifications will result in the removal of one mature sycamore tree and open space to accommodate a new parking lot. However, the remaining landscaping will continue to provide a visually pleasing and harmonious setting for structures on the site and serve as a transition to adjoining and nearby sites.

- The project will not include any excessive and unsightly grading of hillsides, and will continue to preserve natural landforms and existing vegetation where feasible.

- The 28 parking spaces that will be provided in the new parking lot will ensure the provision of adequate, safe and efficient parking and circulation areas consistent with the Zoning Ordinance.

- The project provides a functional, efficient, and attractive site design which is sensitive to existing uses in the area and to the topography and conditions of the site. The exterior modifications are functional, efficiently sited, will be harmonious with the existing structure, and are in locations that will minimze any potential visual impacts to the surrounding neighborhood.

- The exterior modifications are consistent with the design guidelines identified in the Arsenal Historic Conservation Plan and the Secretary of Interior's Standards for the Treatment of Historic Properties.

<u>Conclusion (Revised for September 22, 2011)</u>
Rehabilitation of the Officers Quarters Duplex as proposed will not cause a substantial adverse change in the significance of a historic resource and will not have a significant effect on the environment, requiring the completion of an Initial Study to make this assessment, based on the project alterations that have been submitted and the conditions of approval recommended by staff. In order to rehabilitate this building in a manner that is consistent with the Secretary

of Interior's Standards for the Rehabilitation of Historic Properties, the project's scope of work should be modified to include:

1. The applicant proposes a 3' wide moat along the south elevation. Staff has included a condition that the moat in this location remain as is (approximately 18" to 2' wide).

If the applicant is not able to comply with any of the conditions of approval adopted by the Historic Preservation Review Commission, the applicant will be required to return to the Commission for any modifications to the approved project.

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 Interior's Standards for Rehabilitation
- DPR Form 523
- Project Plans

PROPOSED RESOLUTION

RESOLUTION NO. 11-X (HPRC)

A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW FOR 963 JEFFERSON STREET (08PLN-00028)

WHEREAS, the applicant**,** Stephen David**,** has requested design review approval to complete exterior modifications and rehabilitate the Officers Quarters Duplex located at 963 Jefferson Street; and

WHEREAS, the Historic Preservation Review Commission held public hearings on January 27, 2011, March 2, 2011 and July 28, 2011 to receive preliminary project information and advise the applicant on the proposed project; and

WHEREAS, the Historic Preservation Review Commission at their regular meeting on September 22, 2011 conducted a public hearing and reviewed the proposed project.

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

a) The project is Categorically Exempt from additional environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15331- Historical Resource Restoration/Rehabilitation, 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 Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (1995), Weeks and Grimmer.

b) The location and configuration of the exterior modifications are visually harmonious with its site and with surrounding sites and structures, and will not unnecessarily block scenic views from other buildings or public parks or dominate its surroundings to an extent inappropriate to its use. The rehabilitation of the property includes the repair and replacement of existing architectural elements and the construction of a sub-grade courtyard that will be visuially harmonious with its site and surroundings structures. These improvements will not block any scenic views or dominate its surroundings.

c) The architectural design of the exterior modifications, its materials and colors are visually harmonious with surrounding development and with the natural landforms and vegetation of the areas in which it is proposed to be located. The rehabilitation will incorporate either the same or compatible materials, colors and finishes as the existing building. Other materials such as concrete and wrought iron will compliment the building's existing materials, colors and finishes.

d) The exterior modifications will result in the removal of one mature sycamore tree and open space to accommodate a new parking lot. However, the remaining landscaping will continue to provide a visually pleasing and harmonious setting for structures on the site and serve as a transition to adjoining and nearby sites.

e) The project will not include any excessive and unsightly grading of hillsides, and will continue to preserve natural landforms and existing vegetation where feasible.

f) The 28 parking spaces that will be provided in the new parking lot will ensure the provision of adequate, safe and efficient parking and circulation areas consistent with the Zoning Ordinance.

g) The project provides a functional, efficient, and attractive site design which is sensitive to existing uses in the area and to the topography and conditions of the site. The exterior modifications are functional, efficiently sited, will be harmonious with the existing structure, and are in locations that will minimze any potential visual impacts to the surrounding neighborhood.

h) The exterior modifications are consistent with the design guidelines identified in the Arsenal Historic Conservation Plan and the Secretary of Interior's Standards for the Treatment of Historic Properties.

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. Design Review approval shall expire two years from the date of approval, unless made permanent by the issuance of building permits.

3. The plans submitted for the building permit and development and construction shall be in substantial compliance with the submitted

plans prepared by Monarch Engineering, date stamped received September 14, 2011, consisting of 12 sheets marked Exhibit "A" on file with the Public Works & Community Development Department, except as noted below.

4. The moat brick retaining wall and sandstone cap shall be preserved and not removed or enlarged along any façade if it is not directly under a porch or veranda, and is not integral to the new sunken courtyard.

5. The existing sandstone piers under the east veranda shall either be replaced with poured concrete piers that have a sandstone veneer or the new CMU wall that will rise above grade. The wall and lattice in front of it shall be painted (black for the wall, white for the lattice) to provide the appearance of an open underside.

6. Construction of the new sunken courtyard shall use new and compatible materials and not include the re-use of original brick or other historic materials from the building.

7. The reconstructed/extended south entry porch shall be enclosed with wood shiplap siding, as it was originally, and not with stucco or CMU overlaid with wood lattice.

8. The reconstructed/extended south entry porch shall be a maximum of 8' in depth as measured from the building wall face to the outside edge of the porch railing.

9. The applicant shall replace the original wood Corinthian columns with new wood Corinthian columns.

10. The moat along the south elevation shall be preserved in its existing, original configuration, with the exception of the area directly below the south porch.

11. Any other alteration of the approved plans, including substitution of materials or changes in colors or finishes, shall be requested in writing for consideration of approval by the Historic Preservation Review Commission prior to changes being made in the field.

12. If archaeological resources are uncovered during any portion of the project, all construction shall be immediately halted and proper mitigation undertaken in consultation with the Public Works & Community Development Director.

13. The project shall adhere to all applicable ordinances, plans, and specifications of the City of Benicia.

14. Construction activities shall meet all municipal code requirements for hours of operation. Construction equipment shall be adequately muffled and controlled. These requirements shall be made a condition of all related contracts for the project.

15. 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, Public Works & 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 July 28, 2011 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____
David Crompton
Historic Preservation Review Commission Chair

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

Consistency Analysis:
Secretary of Interior's Standards for Rehabilitation
Design Review (08PLN-00028)
963 Jefferson 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. 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.**

   As designed, the proposed project will be in compliance with this Standard. The building was historically used as a duplex two-family residence. The proposed project will convert it to a single unit to be used as a bed and breakfast inn. While this is a commercial use, it has the residential connotations that are compatible with the building's original use a multi-family residence. Alterations that will be made to accommodate the new use will have no affect on the overall appearance. Distinctive materials, features, spaces and spatial relationships will remain intact. For instance, according to the building's original design as a duplex, it possesses two front entry doors. This character-defining organization of the primary entry will not be changes by the proposed project.

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.**

   As modified, the proposed project will be in compliance with this Standard. The alterations proposed for the building will preserve its historic character as an Italianate style duplex. Missing and deteriorating parts of the character – defining features, such as the wood modillions, Corinthian columns and other porch ornamentation, will be restored and replaced, or reconstructed to

match the original appearance. The paired front entry doors and verandas will also be retained and restored. The construction of a courtyard adjacent to the northwest porch will not greatly affect the character of the building because that corner of the duplex is not primary and the associated porch has been previously altered.

If the south entry porch is reconstructed to its original dimensions with an addition attached to it, the change in spatial relationships can be preserved if the addition is removed in the future. If the porch itself is enlarged during reconstruction, the additional depth of 18 inches will not adversely affect the spatial relationship to the building.

The moat, which functions as a light well for the basement, will be retained as a characteristic element even though it will be enlarged in areas directly below the verandas and for the new courtyard. The enlargement of the moat in these areas will not greatly affect this character-defining feature because it will be concealed. Overall, unique features, spaces and spatial relationships that characterize the property will be retained, replaced or reconstructed to rehabilitate the building and restore it to an appearance that is more in keeping with its original design.

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.**

   As modified, the proposed project will be in compliance with this Standard. No creation of false history or addition of conjectural features from other historical properties will be undertaken. The proposed project generally seeks to restore the building by replacing existing features in a manner similar to their historic appearance. For instance, missing features such as the stairs, balustrades and columns on the front porch will be reproduced based on existing elements and documentary evidence, and will be put back as they were historically. Where new or reconstructed elements are to be installed, such as the northwest courtyard, moat and possibly the entry porch, the design and materials will be such that misinterpretation as part of the property's historical development will be unlikely.

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

   As designed, the proposed project will be in compliance with this Standard. The northwestern porch was partially enclosed sometime between 1920 and 1940. Since this change occurred within the Benicia Arsenal Historic District's period of significance (1849-1960), it has acquired significance in its own

right. The restoration of the northwestern porch will retain the infill that encloses the porch on the south side, thus preserving its significant alterations. Other previous alterations that occurred within the District's period of significance include the stucco exterior cladding, subsequent obscuring of features like quoining, and the removal of the parapet. These elements will not be affected by the proposed project that will also reflect the same plan, form, massing and overall design as originally constructed.

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

   As modified, the proposed project will be in compliance with this Standard. Although reconstruction of the entry porch will remove distinctive materials, features and examples of craftsmanship, these materials have deteriorated beyond repair and are not salvageable. Elements that can be preserved, such as the building's pilasters, will be restored during the construction process.

   Even though enlargement of the moat under the verandas will remove the historic brick, sandstone caps and piers, these distinctive materials and features will be preserved and restored where necessary in areas where they are readily visible.

   Although using the same kind of material is the preferred option, the substitute materials for the replacement piers (concrete with sandstone veneer) will be acceptable because the form, design and substitute material itself will convey the visual appearance of the remaining parts of the feature and finish.

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.**

   As modified, the proposed project will be in compliance with this Standard. Historic features such as the wood Corinthian columns and the sandstone veranda piers will be replaced rather than repaired due to the severity of their destruction. The new columns will match the old in design, proportion, color and texture based on documentary and physical evidence and will be replaced with wood. Although the original material will not be duplicated, the replacement material is acceptable because it will convey the visual appearance of the original feature.

Similarly, the sandstone veranda piers will be replaced with a CMU wall with a sandstone veneer at pier locations and painted wall and lattice to replicate the open underside of the veranda.

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.**

   As designed, the proposed project will be in compliance with this Standard. The proposed project does not include any chemical or physical treatments to be applied to the Officers Quarters Duplex.

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

   As designed, the proposed project will be in compliance with this Standard. It is not known whether any substantial archaeological resources are located on the site. The proposed project will require work around the foundation of the building and will likely include subsurface excavation. If archaeological resources are uncovered during any portion of the project, all construction shall be halted and proper mitigation undertaken.

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.**

   As modified, the proposed project will be in compliance with this Standard. The enlargement of the moat will only occur in areas under porches and verandas where it is not readily visible and adjacent to the northwestern elevation where it will also function as a sunken courtyard. Since the original moat brick retaining wall will be preserved in all other areas, the replacement moat that will utilize modern but compatible materials will be easily differentiated from the original construction and the majority of the spatial relationships that characterize the building will be retained.

   The south entry porch is deteriorated and its reconstruction using any restored features is acceptable only if constructed to its original dimensions. If the porch is enlarged by 18 inches in depth during reconstruction, the spatial relationship will not be adversely affected and the application of original and reproduction features and ornamentation will be avoided in order to differentiate the new construction from the original portions of the building.

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.**

As modified, the proposed project will be in compliance with this Standard. Most features that will be replaced or added as part of the reconstruction of the verandas and entry porch (including modillions, columns, balustrades and stairs) will not affect the form and integrity of the building if removed.

The enlarged moat and sub-grade courtyard addition can be reversed by filling in the extended areas that will be excavated. Similarly, the historic brick moat retaining wall and sandstone veranda piers that will be replaced can only be replaced with compatible new materials, but the essential form and integrity of the property as a whole would not be impaired by this.

An extension of the original porch could be removed and the original features restored and reapplied to the original portion of the porch in order to preserve the essential form and integrity of the property. However, since the original porch is deteriorated and requires full reconstruction, a new and enlarged porch can be removed in the future to return the essential form and integrity to the property because physical and historical documentation of its original design exists.

DEPARTMENT OF PARKS AND RECREATION FORMS
523 A & B

AGENDA ITEM
HISTORIC PRESERVATION REVIEW COMMISSION MEETING
SEPTEMBER 22, 2011
REGULAR AGENDA ITEMS

DATE : September 15, 2011

TO : Historic Preservation Review Commission

FROM : Lisa Porras, Senior Planner

SUBJECT : **DESIGN REVIEW FOR EXTERIOR MODIFICATIONS TO ALTER A GARAGE DOOR, INSTALL A DORMER, AND CONDUCT SITE WORK CONSISTING OF LANDSCAPING AND NEW GATES ON THE PROPERTY LOCATED AT 235 EAST L STREET**

PROJECT : 11PLN-47 Design Review
235 East L Street
APN: 088-116-240

RECOMMENDATION:

Approve the design review request to alter the mechanization of a garage door, install a dormer on the second story of the main building, and perform site work consisting of installation of four new gates, a vegetable garden, and two new shade trees located at 235 East L Street, based on the findings and conditions of approval set forth in the proposed resolution.

EXECUTIVE SUMMARY:

The applicant requests design review approval to make exterior modifications to the west facing façade by adding a dormer to the 2nd story, and to install four new gates in the yard area: one at the driveway, one at the main entrance path, one in the rear yard, and one in the east side yard. In addition, the applicant requests to install a vegetable garden in the rear yard and two new shade trees in the front yard. Last, the applicant is proposing to change the mechanization of the garage door by converting it into a sliding door.

This property is within the boundaries of the Downtown Historic Conservation District, and the property itself is a Historic Landmark Building.

ENVIRONMENTAL ANAYLSIS:

Staff has reviewed the project and determined 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. The proposed modifications to this historic resource and remodel of the barn are evaluated under these standards.

BACKGROUND:

The subject property entered into a Mills Act Contract with the City on June 11, 1990. As part of that contract, the property owner agreed to minimum property maintenance throughout the life of the contract and additional architectural rehabilitation work plan items. The current owner/applicant has expressed an interest in continuing the Contract and will work with staff to develop an updated work plan and schedule.

Figure 1: Subject property

Site Description

Known as the Frisbie-Walsh House, this is one of the most recognized and important historic homes in Benicia. Located on the north side of East L Street on the block between East 2nd and East 3rd Streets, the property is 0.28 acres (12,515 square feet) in size with terrain that is generally flat. The property is developed with an approximately 3,545-square feet, two-story single-family

home and an approximately 600 square-feet barn structure in the rear yard. The original residence was constructed circa 1860 and is architecturally considered to be a Gothic Revival cottage. The barn was constructed at a later unknown date and is not part of the original construction. Sometime after 1970, the existing rear addition was constructed behind the original cross wing of the building.

SUMMARY:

The applicant is requesting design review approval to complete the following:

- Install a **dormer** over a window on the second story of the west facing façade. The design of the dormer is consistent with the design of other dormers on the structure. The purpose of the dormer is to allow installation of a door for egress from the second story bedroom to pre-existing balcony.
- Add **four new gates** in the yard area. Each of the gates will include cedar posts painted white to match the trim of the house, Locations include:
    - At the driveway (16 ft. long gate, flanked by 7 ft. tall cedar wood posts - 12 x 12 – painted white to match house trim, and iron gate)
    - At the path leading the front door (8 ft. tall, 4 ft. wide, iron gate, flanked by cedar wood posts – 4 x 4 – painted white to match house trim)
    - In the rear yard as an entrance to a new vegetable garden (4 x 4 cedar wood, painted white picket fence, 4 ft. tall, with arch)
    - In the east side yard (40 inches wide by 4 8 inches tall, cedar wood, painted white)
- Install a **new vegetable garden** directly behind the north facing (rear) façade. Garden will include gravel pedestrian paths.
- Modify the **mechanization of the garage door** by installing a rolling rack along the west facing façade of the garage. The rolling rack will include a 6 x 6 upright post made of cedar, and painted white to match existing trim of house. The existing garage door will remain.

<u>Downtown Historic Conservation Plan Consistency</u>
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 proposed exterior modification to the residence of installing a dormer on the second story is consistent with Policies 1 through 4 of the DHCP's Design Guidelines for Residential Building Types, Historic Buildings, which respectively address design integrity, façade elements and details, and integrity of materials, and appropriate materials, colors and finishes.

Similarly, the proposed new mechanization to convert the existing garage door to a rolling door is consistent with policies of the DHCP's Design Guidelines for Residential Building Types, New Construction, which address accessory buildings.

Finally, the proposed site improvements consisting of the vegetable garden, four new gates, and two new shade trees are consistent with the policies of the DHCP's Design Guidelines for Residential Building Types, Site Improvements, which address planting and paving materials and fences, walls, and site Features.

Secretary of the Interior's Standards for Treatment of Historic Properties
The subject property is a Historic Landmark Building and 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.

The exterior modification to the house, which consists of adding a new dormer on the second story, occurs at the rear of the building, which was constructed after 1970. The remodel of the non-historic garage's door and site improvements consisting of new gates, a vegetable garden, and two new shade trees, will be compatible with the historic materials, features, scale and massing and will not destroy the spatial relationships that characterize the property. Therefore, the proposed project is consistent with the Standards and does not have a significant adverse impact on the historic resource. Further evaluation of the project's consistency with the Standards is attached to this staff report.

Overall, there is minimal visibility from the street to the requested modifications, which do not overwhelm nor impact the character defining features of this historic house.

Zoning Ordinance Consistency
The proposed alterations are consistent with the maximum size, height, lot coverage, setback requirements and all other applicable development regulations for the RS zoning district.

CONCLUSION:

The proposed exterior modifications to the residence are consistent with the Downtown Historic Conservation Plan and Zoning Ordinance. Staff recommends the Historic Preservation Review Commission approve the design

review request 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 of the Commission's action.

Attachments**:**

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

PROPOSED RESOLUTION

RESOLUTION NO. 11- (HPRC)

A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW OF 235 EAST L STREET (11PLN-00047)

WHEREAS, Karen Hamilton, property owner**,** has requested design review approval to make exterior modifications to the west façade of the main building, to the west façade of the detached garage, and to the yard area of the existing Historic Landmark Building located at 235 East L Street; and

WHEREAS, the Historic Preservation Review Commission at their regular meeting on September 22, 2011 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. The proposed exterior modifications to this historic resource are evaluated under these standards. Although the proposed remodel of the barn is not a historic resource, it is located on a property with a building that contributes to the Downtown Historic District.

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 "September 12, 2011" marked Exhibit "A" and consisting of 4 sheets on file in the Public Works & Community Development Department.

3. Any other 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 Historic Preservation Review Commission prior to changes being made in the field.

4. The project shall adhere to all applicable ordinances, standard plans, and specifications of the City of Benicia.

5. Prior to receiving final inspection or a certificate of occupancy for the items addressed in this approval, the applicant shall be required to return to the Historic Preservation Review Commission to address the hand blown glass installed in the bay window and to address the use of brick pavers for driveway material.

6. The applicant or permittee shall defend, indemnify, and hold harmless the City of Benicia or its agents, officers, and employees from any claim, action, or proceeding against the City of Benicia or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission, City Council, 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 September 22, 2011 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____

David Crompton
Historic Preservation Review Commission Chair

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

Consistency Analysis:
Secretary of Interior's Standards for Rehabilitation
Design Review (11PLN-00047)
235 East L 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 install a new dormer to allow egress from the second story to a pre-existing balcony at the rear portion of the residence that was constructed after 1970 and modify the mechanization of the door on the detached garage, which was not part of the original construction. In addition, the proposal also includes installation of four new gates in the front, side, and rear areas of the property, and the planting of two new shade trees and a vegetable garden. These exterior modifications do not alter any of the existing distinctive materials or features that characterize the historic resource. In addition, the proposed site improvements and landscaping will not negatively impact 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 235 East L Street is a Gothic Revival cottage. The principal character-defining features of this style of building as exhibited on the subject property are as follows:

   1. Steep pitched intersecting gable roof with overhanging eaves

2. Lace-like barge board on the gables
3. Front façade occupied by a narrow vertically emphasized canted bay, surmounted by lancet windows
4. One-story porches located on each side, which run the full length of the front wing with hipped roofs supported on squared posts

These character-defining features are still present and will be retained and preserved. The front porches are in the process of being restored under a previous design review permit approval, and the applicant is encouraged to utilize the Historical Building Code. The exterior modifications to west facing façade consisting of a new dormer is an attempt to allow egress from the second story bedroom to a pre-existing outdoor balcony. The dormer is located on the rear of the building that was not originally part of the main building. The dormer will follow the pitch of existing dormers on the main building, but not include the lace-like barge board. This architectural intervention not impact any of the character-defining features on the primary façade and main building. The proposed new garage door will not remove any of the distinctive materials. Finally, the site work consisting of new gates, a vegetable garden, and two new trees will not impair the features, spaces or spatial relationships that characterize the property.

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.**

   The property was surveyed by Carol Roland in 2004. Her analysis states that the building is an excellent example of the Gothic Revival style, of which there are only a few other examples in the City. Since the rear addition is smaller than the house and is to a large extent hidden behind the original cross wing, it retains most of its integrity. The proposed modifications do not add features that would not have been present on this architectural style.

   The proposed new operation of the garage door is compatible with the existing historic resource. Details of the site work, gardens, and gates are compatible with the structure and site and do not create a false sense of historic development.

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

   The proposed modifications to the west facing façade, the operation of the garage door, and site work together will not result in any changes to the property that may have acquired historic significance in its own right.

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.**

   This work does not propose to repair 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 restoration of the porches that may cause damage to the historic resource.

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 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.

According to the DHCP, the resources in the Downtown Historic District are defined through the buildings; their age and architectural feature. The additional dormer will respect the historic resource on the property through 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.

Aside from the new dormer, which is on the modern addition, no other modifications are proposed and therefore the essential form and integrity of the historic property will not be impaired.

DEPARTMENT OF PARKS AND RECREATION FORMS
523 A & B

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

PRIMARY RECORD

Review Code ____ Reviewer _____ Date __ _____

***Resource Name or #:** Frisbie-Walsh House
P1. Other Identifier: None
***P2. .Location: *a. County** Solano
b. Address : 235 East L Street
***c. City:** Benicia **Zip** 94510
d. UTM: N/A
e. USGS Quad: Benicia T2N R3W MDM
***f. Other Locational Data (APN #):** 88-116-24

***P3a. Description** The Frisbie-Walsh House is one of the best recognized and most important historic homes in Benicia. It was built by John Frisbie, son-in-law of Mariano Vallejo, and in many ways resembles the elder Vallejo's home, Lachryma Montis, in Sonoma. The house is an excellent example of Carpenter Gothic. It is T-shape in plan with an intersecting gable roof of steep pitch. The roof has overhanging eaves and gable. The lace-like barge board on the gable is one of the major character defining features of the building. The roof of the projecting front wing is pierced by steeply pitched gabled dormers, two on each side of the front wing. The dormer gables also exhibit bargeboard trim. A tall double chimney pierces the roof ridge of the front wing. One-story porches are located on each side of the front wing. The porches run the full-length of the wing and have hip roofs supported on squared posts with brackets of a pattern similar to that of the bargeboard. The front façade is occupied by a narrow vertically emphasized canted bay which is surmounted by lancet windows. Cladding is narrow clapboard. HABS photographs from the 1970s show the rear of the house occupied by a shed roof addition, a common feature of early houses in Benicia. That has now been replaced by a two-story rear wing with a porch that mimics the original front porches. This porch is surmounted by a veranda rail.

***P3b. Resource Attributes:** HP2
***P4. Resources Present:** ■ Building ☐ Structure ☐ Object ☐ Site ☐ District ■ Element of District

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

P5b. Description of Photo:
Front façade, view northeast
***P6. Date Constructed/Age:** 1860
☐ Prehistoric ■Historic ☐ Both
***P7. Owner and Address:**
Peter and Evonne Marston
235 East L Street
Benicia, CA 94510
***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):

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

BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Identifier:** 235 East L Street ***NRHP Status Code:** 3S/3D
B1. Historic Name: N/A
B2. Common Name: Frisbie-Welsh House
B3. Original Use: Residence **B4. Present Use:** Bed and Breakfast
***B5. Architectural Style:** Gothic Revival
B7. Moved? ■ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:** same
***B8. Related Features:** None

B9a. Architect: unknown **B9b. Builder:** John Frisbie
***B10. Significance: Theme:** Benicia Downtown District **Period of Significance**: 1847-1940 **Property Type**: Single Family house **Applicable Criteria:** A / C

This is one of the most outstanding historic houses in Benicia. It is significant under Criterion A for its association with the founding of the city. The builder and first occupant, John Frisbie, was the son-in-law of Mariano Vallejo, one of the original founders of Benicia and one of its largest original land owners. It is eligible under Criterion C as an excellent example of the Gothic Revival style of which there are only a few other examples in the city. The rear addition is smaller than the house and is to a large extent hidden behind the original cross wing. The building is a City Landmark and is also individually eligible for listing in the National Register of Historic Places. The building was recorded by the Historic American Building Survey (HABS) in 1977. It should retain its current status. As a highly significant historical resource, changes and additions to the building should be carefully considered and the retention of integrity and authenticity should be given paramount consideration.

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.

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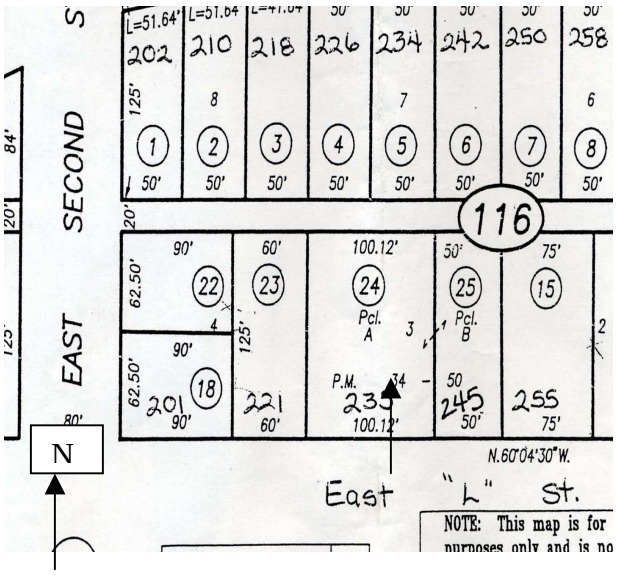
BUILDING, STRUCTURE, AND OBJECT RECORD

(Sketch Map with north arrow required.)



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

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BUILDING, STRUCTURE, AND OBJECT RECORD

Resource Identifier: 235 East L Street

X **Continuation** o **Update**

HABS photograph 1977

(This space reserved for official comments.)

PROJECT PLANS