



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING MINUTES

**Thursday, September 24, 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
Gina Eleccion, Management Analyst
Amy Million, Consulting Planner

- 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**

Jon Van Landschoot, 175 West H Street – He questioned the process of approving changes of previously approved projects. In addition, he questioned if the Commission reviews projects for compliance with conditions of approval.

Gina Eleccion stated that staff reviews building plans submitted for compliance with the conditions of approval. In addition, if a significant change is made, as in the Tannery, the project is brought back to the Commission for review.

IV. ELECTION OF OFFICERS

Commissioner Donaghue nominated Commissioner White as Chair and Commissioner Haughey as Vice Chair. Commissioner White declined the nomination.

Commissioner Donaghue nominated Commissioner Haughey as Chair and Commissioner McKee as Vice Chair.

Commissioners discussed the nominations. Commissioner Haughey stated that she would like to see Commissioner McKee as Vice Chair. Commissioner McKee stated that he is not interested in serving as Vice Chair, but will do it if it's the will of the Commission.

Commissioner Taagepera stated that she would support either Commissioner McKee or Crompton as Vice Chair.

Commissioner Donaghue nominated Commissioner Haughey as Chair and Commissioner Crompton as Vice Chair. Commissioner Crompton stated he would do it. Commissioner McKee reconsidered and stated that he would serve as Vice Chair.

Commissioner Haughey was elected Chair, and Commissioner McKee Vice Chair, by the following vote:

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

V. CONSENT CALENDAR

Commissioner Taagepera pulled Item IV-B for discussion.

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

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

A. Approval of Agenda

B. Approval of Joint Planning Commission/Historic Preservation Review Commission Minutes of September 10, 2009

Commissioner Taagepera noted that the CEQA document must come back to HPRC and staff agreed. On page 7, she stated that she is interested in participating in the selection committee for the Historic Context consultant.

On motion of Commissioner White, seconded by Commissioner Donaghue, the minutes, as amended, were approved by the following vote:

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

VI. REGULAR AGENDA ITEMS

A. MILLS ACT CONTRACT- 1101 WEST SECOND STREET

09PLN-44 APN: 87-161-260

PROPOSAL:

The applicant requests approval of a Mills Act Contract with the City of Benicia for this property.

Recommendation: Recommend City Council approval of Mills Act Contract.

Chair Haughey noted that she has a conflict on this project due to property ownership within 500' of the project.

Amy Million, Consulting Planner, gave an overview of the project.

Commissioners discussed the work plan, and would like additional work plan items added. Landscaping was mentioned as a work plan item. Amy Million noted that items could be added to the work plan, but it is good to know what the Commission's expectation are in terms of work plans.

Commissioners questioned the tax savings. There was a suggestion to add replacing windows on the south side.

The public hearing was opened.

Gilbert Von Studnitz, Applicant – He agrees that the yard needs work. He noted that the redwood siding was replaced years ago. The windows on the south side need to at least be painted.

Commissioners questioned if the applicant would be willing to add repair and maintenance of the window to the work plan. The applicant noted that there is some water damage to the windows. He believes they can be repaired and don't need replacement. Commissioners recommended it be done fairly soon.

Jon Van Landschoot, 175 West H Street – He commends anyone that is willing to fix up their house. He agrees that we should have work plan items for all contracts. He questioned who looks at the site when an application is received.

Staff noted that when applications are received and assigned to a Planner, a site visit is done.

The public hearing was closed.

Commissioner Taagepera stated that she believes the shingle siding can be repaired, not necessarily replaced. She would like to see the shingles restrained. The pine tree roots are pulling up the bricks in the driveway. She would like to see this addressed. She commented on missing features vs. repairs. She would like to see porch repair added to the work plan. She thinks this house could be considered a Landmark.

There are questions as to the legal language in the contract regarding changes to contracts and interior inspections. There are concerns with keeping track of expenditures vs. tax savings.

Commissioners commented that staff must determine if properties are maintained.

Gina Eleccion noted that the language in the contract was discussed when the program was adopted. There are times when interiors would need to be inspected. In addition, regarding expenditures, the program does not require receipts, however, in the case of non-compliance, staff can request documentation of expenditures from the property owner. In addition, she noted that minor schedule changes have been allowed, but a major amendment to the work plan would require re-recording the contract, which was done with the Union Hotel.

Work plan was amended to include:

1. Window maintenance in year one (2010)
2. Landscaping in near future (2010)
3. Porch shall be repaired (2011)
4. Shingle siding (2012)

Commission recommended that the property owner contact the City arborist regarding the tree.

RESOLUTION NO. 09-14 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA

RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 1101 WEST SECOND STREET

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

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

A recess was called at 7:30 pm. The meeting was reconvened at 7:35 pm.

B. MILLS ACT CONTRACT – 182 EAST I STREET

09PLN-43 APN: 89-052-09

PROPOSAL:

The applicant requests approval of a Mills Act Contract with the City of Benicia for this property.

Recommendation: Recommend City Council approval of Mills Act Contract.

Vice Chair McKee noted that he has a conflict of interest on this project as the architect.

Amy Million, Consulting Planner, gave an overview of the project.

Commissioners questioned the tax savings on this property. They would like to see the porch project completed sooner.

A question was asked as to whether there was evidence of an original wood porch. In addition, if 1 ½ inches of wood cladding is added, there is concern with clearance of the door. Amy Million noted that the applicants are in agreement with the wood porch.

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

Commissioner Taagepera stated that she spoke to Bob VanWert regarding the porch. He does not have evidence that the porch was wood. Commissioner Taagepera further noted that there are resources on craftsmans that show concrete porches. She believes this could have originally had a concrete porch, so it might not be historically inappropriate. Staff noted that it did not find evidence of a wood porch originally, but made a recommendation based on other properties in town.

Commissioners discussed the porch. There is no desire to have wood cladding over the concrete. Commissioners would like to leave this change up to the applicant.

Commissioners commented on this becoming a “maintenance only” contract if the porch is removed. Gina Eleccion noted that the Commission has previously approved these types of contracts. Maintenance issues are addressed during annual inspections.

Landscaping was discussed as a work plan item.

Commissioners agree that if there is evidence to require a change, then they would support that. Staff recommended adding language to indicate no evidence of porch.

Work plan was amended to:

1. Eliminate the porch.

Commissioners recommended additional language to the resolution that during course of contract, if evidence provided of wood porch, porch could be done.

RESOLUTION NO. 09-15 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING CITY COUNCIL AUTHORIZE THE CITY MANAGER TO ENTER INTO A MILLS ACT CONTRACT FOR THE PROPERTY LOCATED AT 182 EAST I STREET

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

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

C. 127 FIRST STREET (THE TANNERY) – BUILDING MATERIALS
09PLN-01 APN: 089-244-050

PROPOSAL:

Pursuant to Resolution 09-13 (HPRC), which approved a new refuse storage area, new outdoor patio windscreen and wall, and installation of new entry doors along First Street, the applicant requests HPRC approval of colors and materials for the following items as stated under Condition #15 of Resolution 09-13: samples of brick veneer and a painted stucco sample for the new patio wall; roof materials for the trash enclosure; paint swatches for all painted areas.

Recommendation: Review materials and colors for a new outdoor patio wall, a new trash enclosure, and all paint color swatches for improvements to an existing building located at 127 First Street.

Lisa Porras, Senior Planner, gave an overview of the project. Material samples were provided to the Commission for their review.

Commissioners discussed the material samples. There was a suggestion to set the brick so that no edges are shown.

The applicant noted that they tried to match the brick to the existing brick wall and arch. The brick does not match exactly, but complements the brick inside the restaurant. The steel door trash enclosure will be painted in a hunter green color. The stucco is a sand finish, which will reduce glare.

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

Commissioners discussed the material samples. They approved of the following:

Kelly-Moore Hunter Green (149 Green Thumb)
Kelly-Moore Off-White (27 Bone)
Brick corners fabricated so they do not appear to be veneer; with special attention to the corners

On motion of Commissioner McKee, seconded by Commissioner Crompton, the above materials were approved by the following vote:

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

D. LISTING PROCESS FOR HISTORIC RESOURCES TO REGAIN HISTORIC STATUS

PROPOSAL:

Per City Council direction, the Commission will discuss a process that allows an eligible property to gain historic status. This discussion includes suggestions made by Commissioner Taagepera in a memo dated March 25, 2009.

Recommendation: Based on this discussion, staff will prepare a draft ordinance for the Commission to make a recommendation to the City Council.

Gina Eleccion gave an overview of this item. She recommended a brief overview and stated that staff can take all comments and come back with a draft ordinance for discussion.

Commissioner Taagepera would like to see more changes to the current ordinance. She would like to see property owners approach the City to get their properties listed. She would like to see a minimal fee for this.

Commissioners commented on the need for a professional DPR form. Commissioners agreed that staff can come back with a draft ordinance.

Commissioners discussed whether or not this would include properties outside of the district. Gina Eleccion noted that this warrants further discussion.

Following recommendations:

1. Professional consultant DPR form – provided by property owner
2. Not just for reconstruction
3. Restoration reviewed prior to changes being made

VII. COMMUNICATIONS FROM STAFF

A. HISTORIC CONTEXT CONSULTANT SELECTION COMMITTEE

Staff requests the Commission designate a member to sit on the Historic Context Consultant Selection Committee.

Commissioner Taagepera had expressed an interest in being involved in this. The Commission agreed with this.

Gina Eleccion stated that the City has entered into a contract with a consultant to review the historic integrity of the IOOF. Staff will present the results of the consultant's evaluation at the November meeting.

Gina Eleccion noted that the Climate Action Plan was adopted at the September 15th City Council meeting. Once the Community Sustainability Commission is seated, the Commission will start to see implementation strategies included in project approvals.

VIII. COMMUNICATIONS FROM COMMISSIONERS

Commissioner Crompton questioned the Big-O Tire sign. Staff will review the sign.

Commissioner Mang commented on the fact that there were only 2 Mills Act applications this year. Gina Eleccion noted that there are multiple factors contributing to this.

Commissioner Mang would like to see bigger work plans for certain properties. In addition, he would like follow up on 166 West H Street.

Commissioner White commented on the Masonic Temple. Building Division staff is currently reviewing all buildings with issues.

Commissioner McKee encouraged commissioners to take a more active role in the non-historic design review projects, such as the New Harbor Church project.

Chair Haughey wanted to make sure that staff is watching the Captain Walsh House. In addition, she thanked former Chair Mang and Vice Chair White for their service, and she congratulated Vice Chair McKee for his appointment.

IX. ADJOURNMENT

Chair Haughey adjourned the meeting at 8:45 pm.