



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL – COMMISSION ROOM

REGULAR MEETING MINUTES

Thursday, October 23, 2008

6:30 P.M.

I. CALL TO ORDER

A. Pledge of Allegiance

B. Roll Call of Commissioners

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

Absent: Commissioner Crompton (excused)

Staff Present

Lisa Porras, Senior Planner

Mike Marcus, Assistant Planner

Gina Eleccion, Management Analyst

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

II. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN

None.

B. PUBLIC COMMENT

Jon Van Landschoot, 175 West H Street – Thanked the Commission for their work on the survey.

III. CONSENT CALENDAR

Commissioner Donaghue pulled item III-C for discussion.

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

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

- A. Approval of Agenda**
- B. Approval of Minutes of August 24, 2008**
- C. Approval of Minutes of September 25, 2008**

Commissioner Donaghue requested that the minutes reflect his comments on 141 East E Street, specifically related to his request to speak on this item. Gina Eleccion noted that the meeting tape was reviewed and the minutes will be revised to reflect Commissioner Donaghue's comments.

On motion of Commissioner Donaghue, seconded by Commissioner White, the Minutes of September 25, 2008 were approved, as amended, by the following vote:

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

- D. Approval of Amended Resolution No. 08-8**

IV. REGULAR AGENDA ITEMS

- A. MILLS ACT CONTRACT- 271 WEST J STREET
08PLN-41; APN: 87-162-160**

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.

Mike Marcus, Assistant Planner, gave a brief report on the project.

Commissioners questioned if the stairs/porch would come before the Commission for design review approval. Mike Marcus noted that this would come forward. There was a suggestion to move up the landscaping prior to the stairs/porch.

Jon DiFrancesco, property owner – He commented that as the stairs/porch are currently

in good condition, they did not plan on doing that work immediately. They plan to submit a design review proposal with multiple projects. Mike Marcus noted that there will be additional design review approvals requested in the future. The property owner noted that he has no formal landscaping plan. Mike Marcus noted that the landscaping plan can be reviewed through staff if the Commission conditions it so.

There were questions about the landscaping. Commissioners discussed adding this to the work plan and what review would be required.

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

Commissioners commented on the specifics of the work plan. Gina Eleccion noted that Exhibit B deals with property maintenance standards in addition to the work plan. In addition, she noted that there is no requirement for property owners to document a 1-for-1 savings vs. expenditures. In the issue of a non-compliant property, documentation of expenditures can be requested by the City.

Commissioner Donaghue commented that if the porch/stairs meet the criteria in the DHCP, it could be approved administratively with minor design review fees. Commissioner Taagepera seconded the motion, but would like this to come back on the Consent Calendar for review. Commissioners requested staff level review of the landscaping at no cost. Staff level review for the porch would require minor design review fees.

RESOLUTION NO. 08-9 (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 271 WEST J STREET

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

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

B. MILLS ACT CONTRACT- 141 WEST F STREET
08PLN-32; APN: 89-115-180

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.

Lisa Porras, Senior Planner, gave a brief report.

Commissioners questioned the repairs to the windows. Lisa Porras noted that the applicant can respond to that issue.

Jose Coelho, property owner – He noted that it is likely that some of the work plan items will be combined and done at one time. He would like to address some of the work that has been done and return the property to its original condition. There has been a porch enclosed in the back and work done to the garage. Staff noted that they would not have to modify their work plan to do this, but it would go through the design review process and building permits would be required.

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

Commissioners would like clarification on the window refurbishment. In addition, there was discussion on the allowable use of vinyl or other materials for windows. Staff noted that a full window replacement would require a building permit.

Commissioner Haughey requested the following changes to the resolution:

1. Change word “refurbish” to “repair”.
2. Specify replacement of windows, if necessary, with wood windows.

RESOLUTION NO. 08-10 (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 141 WEST F STREET

On motion of Commissioner Haughey, seconded by Commissioner White, the above resolution was approved, as amended, by the following vote:

Haughey, change refurbish to repair and add “replace with wood”, second White.

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

C. MILLS ACT CONTRACT- 155 WEST J STREET
08PLN-4; APN: 87-164-230

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.

Lisa Porras, Senior Planner, gave a report on the project. She noted that it has not been typical to add interior improvements to work plans, and this can be modified by the Commission.

Commissioners commented on the specific work plans items.

Gary Arneson, property owner – He commented that the concrete has been damaged on the entryway. He noted that the house is in fairly good shape. There is general maintenance that needs to be done. The lack of landscaping is a major issue.

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

Commissioners requested the removal of the interior items, with the exception of the electrical upgrade. In addition, landscaping shall be reviewed by staff.

RESOLUTION NO. 08-11 (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 155 WEST J STREET

On motion of Commissioner White, seconded by Commissioner Donaghue, the above resolution was approved, as amended, by the following vote:

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

D. DESIGN REVIEW – 301 FIRST STREET

08PLN-15 Design Review
301 First Street; APN 089-243-140

PROPOSAL:

The applicant requests design review approval to modify an existing single-story structure (previously used as a lumber drying shed) and convert it into a two-story building for retail and office uses. Modifications include raising the existing building, constructing an additional 371 square feet below it, add a new covered balcony on the second story, a new covered porch on the first story, and reconfiguring the primary façade to accommodate a “gallery” frontage type.

Recommendation: Grant Design Review approval for proposed modifications to an existing structure at 301 First Street to accommodate new retail and office uses, based on the findings and subject to the conditions listed in the proposed resolution.

Commissioner Donaghue stated property ownership within 500'. Commissioner McKee stated a conflict on this item and the next item.

Lisa Porras, Senior Planner, gave a presentation.

Commissioners commented on the overall project. The height of the building was discussed. Fencing between buildings was discussed.

Celeste Joy, applicant – She noted that this is a unique property. A lot of work has been done on the other existing buildings on the property. Their intention is to preserve the history of Benicia. They would like the courtyard to eventually be an entrance to the building and would like to see outdoor dining there in the future.

Phil Joy noted that the Downtown Mixed Use Master Plan requires a 12' first floor. Lisa Porras noted that a variance would be required to allow less than 12' in height for the first floor.

The Commission asked staff if the Community Development Director could determine the building non-conforming, in order to consider a reduction in height. The applicant noted that the building was raised within the last 2 years.

Commissioners discussed the Downtown Historic Conservation Plan in relation to this project.

The public hearing was opened.

Elliott Rapp, 560 Anderson Lane – He understands the applicant's vision, but there are existing problems with the work at the boatyards. He would prefer no additional permits be issued until the existing work is completed.

Gary Wheeler, 580 Anderson Lane – He supports the project. He commented on compatibility and noted that there are 2-story buildings behind. He would not like this to have to go through the variance process for the height issue. He would like to know the timeline on the project. He asked that the windows be similar in style. He questioned the total square footage of the project site and whether this meets the parking requirements. The building is aged to a dark color. He commented on specifics in the resolution.

Jane Malone, 566 Anderson Lane – She is in favor of the project, but commented on the boatyard operations. She would like to see the property cleaned up prior to additional projects being approved.

Lisa Porras noted that this has been an existing use on the site. The site is 100x450 feet. The parcel contains the shed and all of the historic buildings. She noted that it was appropriate to condition the boatyard operations for aesthetic reasons, which had not been done in the past.

Greg Davis, 123 West D – He noted that there has been a boatyard there ever since he moved in. He noted there are mixed opinions on this project. He supports the project proposed and does not believe the height is overwhelming.

Jon Van Landschoot, 175 West H Street – He supports the project, but is concerned with the height issue. He commented on paint vs. stain.

Phil Joy commented on the issues raised. He gave background on the work that has been done. A bay trail will be constructed with BCDC approval. The house on the barge will be moved in the next few months. The foundation is almost complete.

Lisa Porras commented on the parking requirements. The Downtown Mixed Use Master Plan does not require parking for the project. The site currently has 7 parking spaces. If the site was vacant and all current buildings were to be built as is, additional parking would be required.

The public hearing was closed.

Commissioners commented on the existing conditions at the boatyard, and timing of the Bed and Breakfast at 134 W. D Street.

Lisa Porras noted that because the project at 134 W. D Street is within 100' of the shoreline, it required BCDC approval and adds additional review and time for the project to be finished.

The fence was discussed. Lisa Porras noted that the fence is required along the wharf to shield the view of the existing boatyard and materials onsite. In addition, she noted that the applicant agrees with the conditions presented.

Commissioners commented on the Downtown Mixed Use Master Plan and the fact that there should be flexibility.

Commissioners commented on the color and stain vs. paint. The proposal to paint the structure dark brown is consistent with the existing color of the shed.

The awning windows were discussed.

Conditions were amended to include:

1. Height reviewed by CDD Director to determine if the first floor height could be reduced from the required 12 feet to 10 feet. If not, the proposed plans would go forward as is.
2. Windows shall be consistent in style and material.

RESOLUTION NO. 08-12 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING MODIFICATIONS TO THE EXISTING LUMBER DRYING SHED AT 301 FIRST STREET

On motion of Commissioner Taagepera, seconded by Commissioner White, the above resolution was adopted, as amended, by the following vote:

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

A recess was called at 9:15 p.m. The meeting was reconvened at 9:25 p.m.

E. DESIGN REVIEW – 1280 WEST 11TH STREET
08PLN-37 APN: 86-062-010

PROPOSAL:

The applicant requests design review approval for the expansion of King Solomon Church (from 3,949 to 8,943 square feet) located at 1280 West 11th Street.

Recommendation: Grant Design Review approval for the King Solomon Church expansion project at 1280 West 11th Street, based on the findings and subject to the conditions listed in the proposed resolution.

Lisa Porras gave a presentation on the project.

Commissioners commented on the Title 24 “cool roof” issue. Lisa Porras noted that the “Cool Roof” requirements do not necessarily require a lighter color roof. There was a suggestion to remove that condition and have this resolved at the time of building plan submittal.

Marv Kinney, Engineer – He noted that the church did receive a building permit previously to add a much larger addition, but due to financial reasons, the project was never constructed. He noted that there was a sewer backup and the church is anxious to move this forward.

The public hearing was opened.

Rick Ernst, 539 Clyne Court – He spoke as a citizen. He supports the project and believes it will be an asset to the community.

The public hearing was closed.

Parking lot lighting was discussed. Marv Kinney noted that there is a City requirement for lumens. There could be 2 additional lights added.

Commissioners questioned conditions 14-16 on the resolution. Lisa Porras noted that these are Planning Commission conditions that were restated in the HPRC resolution, but these could be removed.

The resolution was amended as follows:

1. Revise Finding 2 to remove discussion about roof color.
2. Remove Condition 5
3. Remove Conditions 14-16

RESOLUTION NO. 08-13 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW RELATED TO THE EXPANSION OF KING SOLOMON CHURCH LOCATED AT 1280 WEST 11TH STREET

On motion of Commissioner Donaghue, seconded by Commissioner White, the above resolution was approved, as amended, by the following vote:

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

V. COMMUNICATIONS FROM COMMISSIONERS

Commissioner White recommended that the work of the Historic Survey Ad Hoc Committee is complete other than responding to a couple of issues as a result of the action on September 25th. Gina Eleccion confirmed that no additional work will be performed by the committee. There may be the opportunity to form additional sub-committees in the future to work on other projects.

Commissioners commented on the order of items on the agenda. Staff noted that any item can be pulled and asked to be reordered. This would be done prior to Consent Calendar approval of the agenda.

VI. COMMUNICATIONS FROM STAFF

A. MILLS ACT COMPLIANCE REPORT

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

Gina Eleccion gave a brief overview of the annual inspections and noted that inspections for this year will be conducted in the next few months. Mills Act property owners will be receiving letters requesting submittal of their annual property owner reports. This allows the property owner an opportunity to advise staff of any issues with complying with the provisions of their contracts.

Gina Eleccion noted that as this was the first formal year performing inspections, the City has been working with property owners to be in compliance. A number of projects came before the Commission to facilitate that, specifically 401 First Street (Union Hotel revised Work Plan) and 123 West D (window replacement).

In addition, Gina Eleccion noted that the November agenda will include a discussion on the Mills Act Program.

VII. ADJOURNMENT

Chair Mang adjourned the meeting at 10:20 p.m.