



**BENICIA HISTORIC PRESERVATION REVIEW COMMISSION
CITY HALL COMMISSION ROOM**

REGULAR MEETING MINUTES

**Thursday, October 25, 2007
6:30 P.M.**

I. CALL TO ORDER

A. Pledge of Allegiance

B. Roll Call of Commissioners

Present: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado

Absent: Commissioner White (excused)

Staff Present:

Damon Golubics, Acting Community Development Director

Mike Marcus, Assistant Planner

Amy Million, Consulting 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

Comments were received and distributed to the Commissioners and public.

B. PUBLIC COMMENT

None.

III. CONSENT CALENDAR

Commissioner Conlow requested Item IVA – 126 East E Street be moved to the end of the agenda.

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

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado
Noes: None
Absent: Commissioner White
Abstain: Commissioner Haughey (abstention on Item III-D); Chair Delgado (abstention on Item III-B)

A. Approval of Agenda

B. Approval of Minutes of September 27, 2007

C. Approval of 2008 HPRC Meeting Schedule

D. PERROTIS APARTMENT BUILDING EXTERIOR RENOVATION

07PLN-70 Design Review

1004-1016 West Third Street APN: 0087-162-180

PROPOSAL:

The applicant requests approval for the new construction of a sixty-nine foot and nine inch (69'9") long, five foot (5') wide balcony with three (3) partitions along the Southeast side of the apartment building; replacement of four (4) six foot (6') windows with six foot (6') sliding vinyl double pane doors white in color along the southeast side; new construction of a second-story six foot (6') white, vinyl double pane window with grids on the northeast side of the building fronting the alley; and, replacement of four (4) single aluminum pane windows with white, vinyl double pane windows with grids on the Southeast side.

Recommendation: Approve design review request for a new rear balcony deck and window and door replacement, based on the findings and conditions in the proposed resolution.

RESOLUTION NO. 07- 19 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING A DESIGN REVIEW PERMIT FOR A BALCONY AND ANCILLARY EXTERIOR UPGRADES OF A 7-UNIT APARTMENT BUILDING AT 1004-1016 WEST 3RD STREET (07PLN-70)

IV. REGULAR AGENDA ITEMS

B. 224 WEST I STREET – DESIGN REVIEW AND MILLS ACT CONTRACT

07PLN-74 Design Review and 07PLN-69 Mills Act Contract

224 West I Street, APN: 89-042-070

PROPOSAL

The applicant requests approval for exterior modifications to the existing single-family residence located at 224 West I Street within the Downtown Historic District. The modifications include removal of asbestos siding, restoration of deteriorated wood siding, replacement of gutters, restoration/reconstruction of architectural details around the bay windows, reconstruction of a rear-facing second story balcony, and placement of decorative medallions above windows. The applicant also requests approval of a Mills Act Contract with the City of Benicia for this property.

Recommendation: Approve design review for exterior alterations to the existing single-family residence, based on the findings, and subject to the conditions listed in the proposed resolution.

Recommendation: Approve Mills Act contract and recommend City Council approval.

Mike Marcus, Assistant Planner, gave an overview of the project. Commissioners discussed the alterations proposed.

The public hearing was opened.

Mr. Navas, Applicant – He commented on the work that has been done on his property. They are planning a small balcony that is primarily cosmetic. He is willing to make the project comply with the Commission's conditions.

Commissioners Haughey, Wilson and Donaghue stated that they had ex-parte communication with the property owners.

A recess was called at 6:46 p.m. The meeting was reconvened at 6:48 p.m. Commissioner Haughey recused herself due to property ownership within 500' of the project.

Commissioners discussed the history of the balcony and stairs. Mike Marcus commented that staff has visited the site multiple times, and it is obvious that there is a door, but no physical evidence of a porch. There was a question regarding the use of Sanborn maps.

Jon Van Landschoot, 175 West H Street – He stated his concern with the roof that was put on and wants staff to be more careful with that.

The public hearing was closed.

Commissioners discussed the proposal. Commissioners would like to see the final design of the balcony before it gets constructed. There was concern over the roofing material used. Commissioners would like to see the rosettes replicated to match the original.

Commissioner Wilson proposed the following amendments:

1. Balcony reviewed by Commission for final design;

2. Rosettes to be 5” diameter (B3102 from product guide)

RESOLUTION NO. 07-20 (HPRC) A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW PERMIT FOR THE EXTERIOR ALTERATIONS TO THE SINGLE-FAMILY RESIDENCE LOCATED AT 224 WEST I STREET (07PLN-74)

On motion of Commissioner Wilson, seconded by Commissioner Conlow, the above Resolution, as amended, was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang, Wilson and Chair Delgado
Noes: None
Absent: Commissioner White
Abstain: Commissioner Haughey

RESOLUTION NO. 07-21 (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 224 WEST I STREET

On motion of Commissioner Wilson, seconded by Commissioner Conlow, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Mang, Wilson and Chair Delgado
Noes: None
Absent: Commissioner White
Abstain: Commissioner Haughey

C. 129 WEST I STREET – DESIGN REVIEW AND MILLS ACT CONTRACT

07PLN-63 Design Review and 07PLN-72 Mills Act Contract

129 West I Street

APN: 0089-043-160

PROPOSAL:

The applicant requests approval for exterior alterations to the existing single-family residence located at 129 West I Street within the Downtown Historic District. The modifications include a major historic rehabilitation of the front and west elevations. The applicant also requests approval of a Mills Act Contract with the City of Benicia for this property.

Recommendation: Approve design review for exterior alterations to the existing single-family residence, based on the findings, and subject to the conditions listed in the proposed resolution.

Recommendation: Approve Mills Act contract and recommend City Council approval.

Amy Million, Consulting Planner, gave an overview of the project. She noted that this project has been evaluated based on rehabilitation.

Commissioners commented on the lack of a DPR form for this property. Commissioner Haughey showed examples of similar properties that have added porches, and Carol Roland is recommending these properties be delisted.

Commissioners discussed the examples of the other properties with the porches shown.

The public hearing was opened.

Rod Sherry, Applicant – He noted that the home was uninhabitable when he purchased the home. Originally, he intended on redoing the house, however with the property recommended for delisting, he still needs design review approval for the modifications. The addition is proposed to make the house more livable. He would like the front porch, but would be open to removing the request for the wrap-around porch.

Donald Dean, 257 West I Street – He appreciates the foundation work that has been done. He commented that the Mills Act should be applied with some strictness. He would like to see the work done, but there should be balance with the historic integrity.

Mark Hajjar, 924 West 8th Street – He commented that this is a major project and the applicant should be encouraged to continue with his proposal with the guidance of the Commission.

Jon Van Landschoot, 175 West H Street – He does not think this project meets the Secretary of the Interior Standards. He appreciates the effort to have the house rehabilitated, but wants to make sure the standards are applied. The Mills Act should be seen as a benefit, not a right.

The public hearing was closed.

Rod Sherry, Applicant – He noted that there were multiple additions done on the house. There was a porch with a roof put on around 1940. He would like to extend the roofline to match the addition from the 1920's.

Commissioners discussed the project. Commissioners would like to see a DPR form on this property. The Commissioners stated concern with bringing the home back to retaining its historic integrity prior to being eligible for the Mills Act.

Commissioners discussed the specific design elements of the project. The porch is being reconstructed. There needs to be strong physical evidence of the previous porch, otherwise the new porch needs to be differentiated.

Rod Sherry, Applicant – He noted that the windows proposed are wood, not clad. In addition, the windows are not going to be moved. He supports replicating the porch in the 1969 photo. The Commission does not want to see divided lights in the windows.

Commissioners discussed the addition and the need for differentiation.

Rod Sherry, Applicant – He noted that his main goal is to get his family into the home.

Commissioner Donaghue proposed the following amendments:

1. Delete the reference to clad;
2. Windows shall maintain historic proportions and be non-divided;
3. West porch shall be moved forward and reconstructed per Standard 6 of the Secretary of the Interior Standards;
4. Add Condition #13 – This approval does not constitute approval of a Mills Act contract, and exterior changes suggested by the Historic Preservation Review Commission could disqualify the property from eligibility for a Mills Act contract. Prior to additional modifications, the property owner should consult an historic architect.
5. The front porch shall be designed based on the 1969 photograph and shall not extend beyond the width of the house.

RESOLUTION NO. 07-22 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW PERMIT FOR THE EXTERIOR ALTERATIONS TO THE SINGLE-FAMILY RESIDENCE LOCATED AT 129 WEST I STREET (07PLN-63)

On motion of Commissioner Donaghue, seconded by Commissioner Haughey, the above Resolution was approved by the following vote:

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado
Noes: None
Absent: Commissioner White
Abstain: None

RESOLUTION NO. 07- (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 129 WEST I STREET

On motion of Commissioner Donaghue, seconded by Commissioner Delgado, approval of the above Resolution was continued, pending historic evaluation, by the following vote:

Ayes: Commissioners Conlow, Donaghue, Haughey, Mang, Wilson and Chair Delgado
Noes: None

Absent: Commissioner White
Abstain: None

A. **126 EAST E STREET – DEMOLITION PERMIT**
126 East E Street, APN: 89-372-050 and 89-372-060

PROPOSAL

The proposed project consists of demolishing the existing building located on the northern side of the lot, which is currently used as an office. This building is designated as a potentially contributing structure in the Downtown Historic Conservation Plan.

Recommendation: Approve a permit for demolition of a structure at 126 East E Street because it no longer retains substantial historical, architectural or cultural interest or value; and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project, based on the findings, and subject to the conditions listed in the attached resolution.

Chair Delgado and Commissioner Donaghue recused themselves on this project.

A recess was called at 8:08 p.m. The meeting was reconvened at 8:15 p.m.

Gina Eleccion gave an overview of the project.

She noted that the Commission previously recommended approval of a demolition permit with direction to staff to prepare an Initial Study identifying the impacts of the demolition only. However, the Downtown Historic Conservation Plan does not allow for demolition permits to be considered without concurrent design review. Based on the fact that the applicant does not have a current proposal of the site, staff cannot recommend approval at this time. She noted that staff should have advised the Commission that current regulations do not allow an Initial Study to address the demolition only without looking at the entire project. Damon Golubics stated that the Initial Study could be expanded to include the applicant's future design review proposal.

The public hearing was opened.

Pat Donaghue, Applicant – He gave a history of the project. The project has been previously reviewed. Staff was directed to prepare an Initial Study identifying the impacts of the demolition only. The adequacy of the Initial Study/Mitigated Negative Declaration is the only issue at this point. Any future proposal will meet the criteria in the Downtown Mixed Use Master Plan.

He stated that he lost the opportunity to move the Napa structure and he does not know what he is going to do.

Ken Buske, 302 Marina Village Way – He supports demolition of the existing structure.

Donald Dean, 257 West I Street – He questioned if a new Initial Study will be prepared when a new design is submitted. The issue over the demolition is not a new issue.

Jon Van Landschoot, 175 West H Street – He agrees with staff that the entire project needs to be evaluated in the Initial Study. He would like to see this project move forward with a design that complies.

Steve Gizzi – He stated that he was one of the Council Members to vote to form this Commission. He commented that the intent of the Commission is to preserve and protect the valuable historic assets. He noted that not everything that is old, is historic. There are questions as to the historic integrity of the structure.

Gretchen Burgess, 28 Buena Vista – She commented that this building has no historic significance. She does not believe that demolition of this structure will impact Benicia. There are many buildings that have been neglected. All time delays cost the applicant money.

Pat Donaghue, Applicant – He commented on the amount of work that has been done already. He does not have a project proposal to submit at this point. He will design his project based on the Downtown Mixed Use Master Plan.

He stated that Benicia Municipal Code Section 17.54 gives the Community Development Director the discretion to interpret the guidelines of the Downtown Historic Conservation Plan.

The public hearing was closed.

Commissioners discussed the project and the demolition process. Damon Golubics noted that there is no excuse for staff's error regarding the demolition process.

Commissioner Conlow questioned if a variance can be granted regarding the process.

Commissioner Wilson commented that it is unfortunate, but there is a need to identify the impacts of the entire project.

Patrick Donaghue, Applicant – He questioned what the Commission wants in terms of design of the project. He requested a finding to provide guidance on his project. Staff suggested scheduling a workshop to discuss the design of the project.

RESOLUTION NO. 07- (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA RECOMMENDING APPROVAL OF A DEMOLITION PERMIT AND ASSOCIATED INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR A PROJECT LOCATED AT 126 EAST E STREET (06PLN-52)

On motion of Commissioner Wilson, seconded by Commissioner Haughey, the above Resolution was denied by the following vote:

Ayes: Commissioners Conlow, Haughey, Mang and Wilson
Noes: None
Absent: Commissioner White
Abstain: Commissioner Donaghue and Chair Delgado

V. COMMUNICATIONS FROM COMMISSIONERS

None.

VI. COMMUNICATIONS FROM STAFF

A. HISTORIC SURVEY AD HOC COMMITTEE UPDATE

Gina Eleccion gave an update on the progress of the committee.

Damon Golubics, Acting Department Head, noted that an appeal was filed on 149 West F Street. This will be going to the Planning Commission on December 13th.

In addition, Damon Golubics noted that Charlie Knox will be returning to the office on October 29th.

VII. ADJOURNMENT

Chair Delgado adjourned the meeting at 9:10 p.m.