



BENICIA HISTORIC PRESERVATION REVIEW COMMISSION

CITY HALL COMMISSION ROOM

REGULAR MEETING MINUTES

Thursday, December 17, 2009

6:30 P.M.

I. OPENING OF MEETING

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

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

Absent: Commissioner Mang (excused)

Staff Present:

Damon Golubics, Principal Planner
Gina Eleccion, Management Analyst
Amy Million, Consulting Planner
Sharon Williams, Development Services Technician
Raquel Walsh, Recording Secretary

- 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

Commissioner Taagepera requested to continue Item V-C, Lower Arsenal Mixed Use Specific Plan until a workshop could be held to further inform the Commissioners on the plan. Request was seconded by Commissioner White, and carried by the following vote:

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

Gina Eleccion stated that Commissioner Mang requested Item VI-A, Mills Act Inspection, be continued to the next meeting. She requested a motion, a second and vote to confirm this.

On motion of Commissioner Crompton, seconded by Commissioner McKee, Item VI-A was continued to the next meeting by the following vote:

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

III. OPPORTUNITY FOR PUBLIC COMMENT

A. WRITTEN
None

B. PUBLIC COMMENT
John Van Landschoot announced that cookies, cider and snacks were provided for everyone to enjoy.

IV. CONSENT CALENDAR

Commissioner Donaghue pulled item IV-B for discussion

On motion of Commissioner Donaghue, seconded by Commissioner White, the Consent Calendar, with the agenda as amended above with the removal of item IV-B, was approved by the following vote:

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

A. Approval of Agenda

B. Approval of Minutes of Joint Planning Commission Meeting of October 22, 2009

Commissioner Donaghue requested a change in minutes on page eight. He noted that it should read that he borrowed a copy from Gina and utilized the internet, and did not have his own copy for review. Additionally, Commissioner McKee noted errors on his votes, which will be corrected. On page eight, he abstained and on page nine his vote was yes.

On motion of Commissioner Donaghue, seconded by Commissioner McKee, the minutes of October 22 were approved as amended, by the following vote:

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

C. Approval of Minutes of November 19, 2009

V. REGULAR AGENDA ITEMS

A. RECONSIDERATION OF A DESIGN REVIEW REQUEST TO MODIFY EXISTING WINDOWS ON THE EAST AND SOUTH FACADES OF A CONTRIBUTING BUILDING LOCATED AT 464 EAST H STREET

09PLN-00086 Design Review
464 East H Street, APN: 80-171-15

PROPOSAL:

The applicant is requesting reconsideration of a previously approved window design at 464 East H Street. The Historic Preservation Review Commission approved modifications to the windows on the east and south facades at the November 19, 2009 meeting.

Recommendation: Approve the reconsideration of a design review request to modify the existing windows on the east and south facades of a contributing at 464 East H Street, based on the findings and conditions of approval set forth in the proposed resolution.

Consulting Planner Million read the memorandum regarding 464 East H Street design review, which included the applicants specific requests that condition of Resolution 09-17 be modified to allow a different grid pattern and/or window dimensions.

Applicant Richard DeGraffenreid expressed his appreciation to the Commission for their time and attention to the review. He also indicated that he appreciated the procedural process as well. Additionally, Mr. DeGraffenreid inquired about tax credits for the installation of the new windows, at which point he was directed by staff to speak with Gina Eleccion at another time.

Commissioner Crompton polled the other Commissioners to be assured that this request was consistent with past decisions. The Commissioners agreed and Commissioner Crompton made a motion to approve.

RESOLUTION NO. 09-18 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING DESIGN REVIEW TO ADD A NEW WINDOW AND REPLACE AN EXISTING WINDOW ON THE EAST FAÇADE, MODIFY THE EXISTING WINDOW AND DOOR ON THE SOUTH FAÇADE OF THE RESIDENTIAL BUILDING LOCATED AT 464 EAST H STREET (09PLN-86)

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

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

B. UNION PACIFIC RAILROAD AUTO LOADING FACILITY DESIGN REVIEW

09PLN-87 Design Review

1140 Bayshore Road, APN: 080-030-020

PROPOSAL:

The applicant requests approval of an auto loading facility located at 1140 Bayshore Road. This project consists of relocating fencing and adding six lighting poles and fixtures along the proposed railroad track.

Recommendation: Approve design review request for a new auto loading facility which involves relocating fencing and adding six lighting poles and fixtures along new proposed railroad tracks located at 1140 Bayshore Road, based on the findings and conditions of approval set forth in the proposed resolution.

Sharon Williams, Development Services Technician, gave a presentation on the proposed auto loading facility design. She indicated the project, located at 1140 Bayshore Road, would add railroad track with a runaround where Amports have vehicles off-loaded. She noted that the project would involve the relocation of fencing and the addition of security lighting. The lights proposed would be (6) six 70ft tall units with the light directed on the tracks. Sharon Williams shared an explanation of the pictures provided to the Commissioners and pointed out the differences between the existing light and proposed lighting. She added that the new lighting is non-intrusive and is also for employee safety.

Damon Golubics, Principal Planner, added that this project would allow more off-loading and found the new lighting technology incredible. He indicated that this was a well-planned program and reaffirmed that staff is recommending approval.

Further questions posed by the Commission were fielded by the applicant, Union Pacific Representative Mike Zucker, Joe Maxwell and Adam DeJong of Musco Lighting. Commissioner Donaghue inquired about the vibratory compaction as well as vibration of the new tracks. Mr. Zucker explained that during construction they would be using thinner lifts without a vibratory roller compaction. He also noted that a project study was done and the vibration from the trains in the areas impacted would be equal to an individual walking around a house.

Other questions posed by Commissioners, including Commissioner Taagapera's inquiry about aesthetics and the affect the lighting would have on other parts of the Arsenal and Clock Tower, and Commissioner Donaghue's question of height comparisons were fielded by Musco Lighting representative Adam DeJong. Mr. DeJong explained that the 70ft lights would be optimal based on rail car height. He added that the lights would not impact the Clock Tower and the surrounding Arsenal buildings. He added that the lights are full cut off fixtures that are environmentally friendly using less electricity than the current lighting. Commissioner McKee asked about the positioning of the lights and Damon Golubics indicated that the general plan policy requires lighting to be directed away from the bay. Commissioner White asked about the foot candles and Mr. DeJong explained that the maximum would be five foot-candles.

The discussion was opened up for public comment.

Gene Doherty, 580 Willow Court - Works in the Arsenal, and expressed support of the project and noted that he did not see any problems with the new lighting as long as it is pointing down. He added that he hoped the lights could be shut off when not in use to reduce greenhouse gases. Mr. Zucker explained they were looking into technology that would put the lights on timers and he recommended a four-hour time frame.

Randy Scott, Amports - He indicated that the new project would save 200,000 emission miles and supports the project.

Commissioner Donaghue made a motion to adopt resolution as presented, seconded by Commissioner Taagepera. Commissioners discussed the motion and Commissioner Crompton requested to add a finding specific to the project that states an exception to the max height requirements given the characteristics of the area.

RESOLUTION NO. 09-19 (HPRC) - A RESOLUTION OF THE HISTORIC PRESERVATION REVIEW COMMISSION OF THE CITY OF BENICIA APPROVING UNION PACIFIC AUTO LOADING FACILITY

On motion of Commissioner Crompton, seconded by Commissioner White, with an additional finding related to the specific project site, the above Resolution was adopted by the following vote:

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

C. LOWER ARSENAL MIXED USE SPECIFIC PLAN - DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

PROJECT LOCATION: The project site is located in the City of Benicia in Solano County. The project site consists of approximately 50 acres east of Downtown Benicia, and is a portion of Benicia's former Arsenal known as the Lower Arsenal. The site is generally bounded by lands adjoining I-780 on the north, lands adjoining I-680 on the east, Port of Benicia land and the Carquinez Strait on the south, and residential neighborhoods extending into downtown Benicia on the west.

BRIEF DESCRIPTION OF PROJECT: The proposed project includes implementation of a Specific Plan for the Lower Arsenal site, which is designated for mixed uses in the Benicia General Plan. The Specific Plan covers four distinct zones, each of which exhibits a unique physical character. The Specific Plan would implement a form-based code to shape future development on the project site, with primary emphasis on the physical form and character of new development. After build-out of the Specific Plan, the area would contain approximately 741,865 square feet of mixed uses, 22 residential units, and 6.39 acres of open space. The Specific Plan area currently contains approximately 525,000 square feet of mixed uses. The Draft Specific Plan is available for

public review at the City's Public Works & Community Development Department or on the City's website (www.ci.benicia.ca.us).

Recommended Action: Confirm, modify, and/or augment the August 2008 Planning Commission recommendation that the City Council certify the Environmental Impact Report and adopt the Lower Arsenal Mixed Use Specific Plan, including modification of Specific Plan Action 4.6.2 to prohibit granting of City permit for alteration of any structure in the Plan area more than 50 years old until the Lower Arsenal historic resource inventory has been updated.

Damon Golubics asked the Commissioners to indicate what specific documents they would like to review, pose questions to staff and decide on a cut-off date for response. He added that including LSA and Opticos in the workshop would require a mid-year budget adjustment and there would only be enough funds for one visit. Commissioner Taagepera indicated that she did not need those companies to come back. After a brief discussion, Damon Golubics suggested there be a staff overview and education of the plan, after which the plan can be formally agendaized for action in March or April. Commissioner Donaghue added that he would like a special meeting with no other agenda items.

Although slated for future review, Chair Haughey invited the public to discuss the Lower Arsenal Plan.

Belinda Smith, resident - spoke in detail about the report and noted that the back of the document provides guidance for review. Her points included how the City is defining the historic district, compliance to the national registry of the district and that the Secretary of Interior Standards apply to the application. She asked that the Commission reference the Secretary of Interior Standards with regards to the Conservation Plan. Ms. Smith added that the analysis should define the district as a whole as the four districts are intertwined and dependent on each other. Together they tell a national story.

Steve Goetz, resident - spoke about impacts of sub-district setting of buildings, open views and landscape features. He indicated that the EIR relies on inadequate mitigation measures. He indicated the building of an 185,000 sq. ft. building would be not less than a significant impact without an open space percentage allotted. He added that there are no performance standards. He proposed options to the Commission and indicated that the EIR needs work.

John Van Landschoot, resident - He agreed with Commissioner Donaghue's request to create a "roadmap" for Commissioners and the public to follow with points covered in a general way. He felt the plan review should be done in a bigger venue at either the Dona Benicia Room or Council Chambers. He added that the Planning Commission should be invited to meeting.

Kathleen Olson, realtor - She read a letter submitted and on behalf of Dennis Owens.

A representative for the Law Offices of Dana Dean noted that she was available to answer any questions regarding the package submitted at the October 22nd meeting.

VI. COMMUNICATIONS FROM STAFF

A. MILLS ACT INSPECTIONS – Continued from November 19, 2009

At the October 22nd meeting, Commissioner Mang requested that the Commission be involved in the Mills Act inspection process. Staff and the Commission will discuss this request.

As Commissioner Mang is absent, this item is continued to the next meeting.

B. PROFESSIONAL QUALIFICATIONS FOR CERTIFIED LOCAL GOVERNMENT

As part of the Certified Local Government Annual Report, each Commissioner must complete a “Professional Qualifications” form. If a Commissioner meets specific professional requirements, additional information is required. Staff will distribute this form to all Commissioners. Forms must be completed no later than December 22nd.

Gina Eleccion gave the Commissioners direction on completing the Professional Qualifications form and asked that resumes and additional experiences be provided.

C. UPCOMING AGENDA ITEMS

Staff will update the Commission on upcoming agenda items and the status of ongoing projects.

Gina Eleccion gave an update and noted that staff will work on setting the agenda with Chair Haughey.

VII. COMMUNICATIONS FROM COMMISSIONERS

With regard to the Historic Context Meetings, Chair Haughey spoke briefly about the three areas lacking documentation, which were ethnic communities, post WWII and industries after 1900. She also indicated that she would like to make sure the owner of the former building that housed Captain Blyther’s understands that he cannot change the structure without proper review and ask for forgiveness later. Chair Haughey also expressed concerns about including the Planning Commission in the workshop for the Lower Arsenal Mixed Use Plan, citing that it would be counter productive. Commissioner Donaghue agreed.

Chair Haughey noted that damage occurred when utilizing the Commanding Officer’s Quarters for the Designer Showcase. She indicated that people were not given parameters, and there were significant scratches on the floor. Gina Eleccion explained that the folks in charge of the building should hear concerns of the HPRC and will prepare and agendize a formal documented action to require an annual presentation regarding the COQ by Parks staff. She added that the Commission could have a discussion to incorporate standards and recommend standards of use.

Commissioner Taagepera asked about the IOOF building and discussed looking at updating definitions of emergency and repair. She also asked about the Old Depot and a workshop on better understanding fees so that Commissioners could correctly answer questions. Gina Eleccion indicated the IOOF is not coming back before the Commission, and that she had not heard anything new with regards to the Depot. She also indicated that the fees were recently reduced by Council under the Master Fee Schedule.

VIII. ADJOURNMENT

Chair Haughey adjourned the meeting at 8:16pm