HISTORIC RESOURCE COMMISSION

MEETING MINUTES

Regular Meeting November 1, 2006

The regular meeting of the Coronado Historic Resource Commission was called to order at 3:06 p.m., Wednesday, November 1, 2006, at the Coronado City Hall Council Chambers, 1825 Strand Way, Coronado, California, by Chairperson Keith.

MEMBERS PRESENT:	Commissioners Draper, Herron, Keith, MacCartee and Wilson
MEMBERS ABSENT:	None
STAFF PRESENT:	Ann McCaull, Associate Planner Martha L. Alvarez, Recording Secretary

APPROVAL OF MINUTES

The minutes of October 18, 2006 were approved as amended.

DIRECTOR'S REPORT

Ms. McCaull reported that discussion of the draft Demolition Permit List will be on the Historic Resource Commission's (HRC) agenda of December 6. She will be sending out notices to all of the property owners that are on the primary draft permit list along with the properties on the commercial list. This totals to about 395 property owners. Of these, 367 are residents.

Ms. McCaull also reported that she has reviewed a proposed alteration for a home located at 1020 E Avenue. The home is over 75 years of age and was built by Chris Cosgrove. The property owners are removing a small portion of the structure and adding additional square footage at the rear of the property. Staff has determined that a Notice of Intent to Demolish permit is not needed because the front façade will remain as is and the property owner is preserving the integrity of the building.

ORAL COMMUNICATIONS AND OTHER MATTERS

There were no members of the public wishing to speak at this time.

PUBLIC HEARINGS

HR 19-06 **STEVEN AND GISELE RENLY** – Request for Historic Designation of the single family residence addressed as 568 I Avenue and located in the R-1AE (Single Family Residential) Zone.

This item was continued, at the applicant's request, to the regularly scheduled meeting of November 15, 2006.

HR 20-06 **BRUNO F. PAUL FAMILY REVOCABLE TRUST** – Request for Historic Designation of the single family residence addressed as 535 Ocean Boulevard and located in the R-1A (Single Family Residential) Zone.

Ms. McCaull introduced the staff report as outlined in the agenda. This site consists of a two story dwelling with a detached garage and guest house. The site contains about 10,700 square feet. The owners have applied for historic designation to preserve the residence and safeguard the heritage of Coronado. The designation request includes the grounds and all buildings on the property. The adjoining property to the south, owned by the Montalbano Family, was recently designated as an historic resource. City records indicate the home was constructed in 1911 so it is 95 year old. The owner was identified as Admiral Seebree and the contractor was identified as F. Heilbron. The Historic Resource Inventory completed in the 1980's indicates that William Sterling Hebbard designed the residence and that the contractor was S. Chapin. It is not clear how this contractor information was acquired and cannot be confirmed. Supplemental information is available confirming William Sterling was the architect for the residence. Some alterations have occurred to the dwelling since its original construction. Walter Fitch completed alterations to the dwelling in 1924 and subsequent alterations in 1927 including a garage addition and new maid's quarters. In 1999, the current owners were issued a permit to complete some improvements to the home which included changing out all of the windows with energy efficient and tempered glass, redesign of the kitchen and remodeling of the bathroom, second floor tenant improvements, and new guardrails on the second story decks. The 1980's photograph compared with the existing photograph demonstrates the home has remained substantially the same with the exception of the enlarged windows and sliding glass doors on the second story of the front façade of the building. The application notes that it should be designated historic because of the architectural significance of the property. The architect for the project, William Sterling Hebbard, designed many notable structures locally and regionally. The Historic Resource Inventory gave this residence an historic value of 2H, which considered very historically significant.

The applicant, Anna Fleisher Paul, was present in the audience.

Commissioner Draper asked if the windows in the front of the home were made out of wood.

Ms. Paul responded that the windows are wood casement windows.

PUBLIC COMMENT

There were no members of the public wishing to speak at this time.

COMMISSION DISCUSSION

Commissioner Wilson asked how many buildings were on the property.

Ms. Paul said there are three buildings on the property which include the main house, guesthouse, and the shed.

Chairperson Keith asked if Mr. Hebbard designed the guesthouse and shed.

Ms. Paul said she did not know.

Chairperson Keith said it would be difficult for the Commission to rule on the historicity of the guesthouse and shed without the appropriate information. She recommended that the Commission rule on the main structure of the property and surrounding grounds only, and that the applicant return before the Commission at a future date to consider ruling on the other two structures.

Ms. Paul agreed.

Vice Chair MacCartee added that, according to the Historic Book on Coronado written by J. Harold Peterson, Admiral Seebree was one of Coronado's foremost citizens and very famous in the Navy.

COMMISSION ACTION

COMMISSIONER DRAPER MADE A MOTION THAT THE HISTORIC RESOURCE COMMISSION WOULD CONSIDER 535 OCEAN BOULEVARD AND THE SURROUNDING GROUNDS (HR 20-06) TO BE A HISTORICALLY SIGNIFICANT PROPERTY AND WOULD APPROVE A REQUEST FOR HISTORIC DESIGNATION IF REQUESTED, WITH THE ADOPTION OF A RESOLUTION STATING THE FOLLOWING REASONS:

A. IT DOES EXEMPLIFY OR REFLECT SPECIAL ELEMENTS OF THE CITY'S MILITARY, CULTURAL, SOCIAL, ECONOMIC, AESTHETIC, AND ARCHITECTURAL HISTORY;
B. IT IS IDENTIFIED WITH PERSONS SIGNIFICANT IN LOCAL HISTORY IN THAT THE ORIGINAL OWNER, ADMIRAL SEEBREE, WAS ONE OF CORONADO'S FOREMOST CITIZENS IN ITS EARLY DAYS AND HAD A SIGNIFICANT ROLE WITH THE U.S. NAVY AND FOR THE RESIDENCE BEING DESIGNED BY NOTABLE ARCHITECT WILLIAM STERLING HEBBARD;
C. IT IS ONE OF THE FEW REMAINING EXAMPLES IN THE CITY POSSESSING DISTINCTIVE CHARACTERISTICS OF THE ITALIANATE ARCHITECTURAL STYLE, AND IS VALUABLE FOR THE STUDY OF A TYPE, PERIOD, OR METHOD OF CONSTRUCTION AND HAS NOT BEEN SUBSTANTIALLY ALTERED;
D. IT IS REPRESENTATIVE OF THE NOTABLE WORK OF AN ARCHITECT, WILLIAM STERLING HEBBARD.

THE RESOLUTION WAS APPROVED WITH THE CONDITION THAT THE ALTERATIONS TO THE LANDSCAPING AND TRELLIS ON THE GROUNDS DO NOT REQUIRE HISTORIC ALTERATION PERMIT APPROVAL FROM THE COMMISSION.

COMMISSIONER WILSON SECONDED THE MOTION.

AYES: Commissioners Draper, Herron, Keith, MacCartee, and Wilson.

NAYS: None.
ABSENT: None.
ABSTAIN: None.

The motion passed 5-0.

Chairperson Keith announced that this is the 93rd home to be designated historic.

HR 21-06 **BRIAN BUCKHOLTZ** – Request for Historic Designation of the single family residence addressed as 1144 Alameda Boulevard and located in the R-1A (Single Family Residential) Zone.

This item was pulled from the agenda. There was no action taken.

NOI 15-06 **FLEISHMAN FAMILY TRUST** - Notice of Intent to Demolish the structures addressed as 840-846 C Avenue and located in the R-3 (Multiple Family Residential) Zone.

Ms. McCaull introduced the staff report as outlined in the agenda. The site is 50' wide and 140' deep, totaling 7,000 square feet. The site contains two detached two-story apartment buildings and also a single story dwelling. If the structures are demolished, a maximum of four condominium units can be constructed. City records do not indicate when the original building permit was issued but records show that a permit in 1927 notes that a structure existed on the lot in the 1892 Lot Book. The front structure, therefore, should be 114 years old. There have been several alterations that have occurred to the front building. In 1928, a permit was issued for alterations to the residence and in 1941 a permit was issued to repair the foundation of the dwelling. In 1945, a permit was issued to remodel the dwelling into a duplex and was further modified in 1952, when the second floor was converted into separate living quarters. In 1954, the second story was remodeled to develop an additional bedroom. The front structure has a Craftsman architectural style. The middle building is a small stucco dwelling on the property and was constructed in 1928 by Al Laing. It has remained unaltered except for some work done in 1966 because of some fire damage. The rear buildings on the site were constructed in 1957 and are not subject to this review hearing.

The applicant's representative, Kevin Robell, 738 G Avenue, was present in the audience.

PUBLIC COMMENT

There were no members of the public wishing to speak at this time.

COMMISSION DISCUSSION

Commissioner Draper said the front house is very lovely, however, it has been extensively remodeled and does not meet any criteria other than its age to be designated historic.

Vice Chair MacCartee agreed and said she would approve the demolition request.

Commissioner Wilson agreed and said she did not see a reason for saving this structure for historic purposes.

Commissioner Herron also agreed. She hopes that four structures are not built on this property.

COMMISSION ACTION

COMMISSIONER WILSON MADE A MOTION THAT THE HISTORIC RESOURCE COMMISSION MAKE A DETERMINATION THAT THE STRUCTURES ADDRESSED AS 840-846 C AVENUE (NOI 15-06) DO NOT MEET THE CRITERIA TO BE DESIGNATED AN HISTORIC RESOURCE, WITH THE ADOPTION OF A RESOLUTION STATING THE FOLLOWING REASONS:

THE PROPERTIES DO MEET THE 75-YEAR AGE REQUIREMENT;

A. THEY DO NOT EXEMPLIFY OR REFLECT SPECIAL ELEMENTS OF THE CITY'S MILITARY, CULTURAL, SOCIAL, ECONOMIC, POLITICAL, AESTHETIC, ENGINEERING, OR ARCHITECTURAL HISTORY;

B. THEY ARE NOT IDENTIFIED WITH A PERSON(S), OR AN EVENT(S) SIGNIFICANT IN LOCAL, STATE, OR NATIONAL HISTORY;

C. THEY ARE NOT ONE OF THE FEW REMAINING EXAMPLES IN THE CITY POSSESSING DISTINCTIVE CHARACTERISTICS OF AN ARCHITECTURAL STYLE, AND ARE NOT VALUABLE FOR THE STUDY OF A TYPE, PERIOD, OR METHOD OF CONSTRUCTION AND HAVE BEEN SUBSTANTIALLY ALTERED;

D. THEY ARE NOT REPRESENTATIVE OF THE NOTABLE WORK OF A BUILDER, DESIGNER, ARCHITECT, ARTISAN, OR LANDSCAPE PROFESSIONAL;

E. THEY DO NOT MEET THE STATE PROGRAM OF LANDMARKS AND POINTS OF HISTORICAL INTEREST AS SET FORTH IN ARTICLE 2 (COMMENCING WITH SECTION 50280) OF CHAPTER 1 OF PART 1 OF DIVISION 1 OF THE CALIFORNIA GOVERNMENT CODE AND ARTICLE 9 (COMMENCING WITH SECTION 439) OF CHAPTER 3 OF PART 2 OF DIVISION 1 OF THE CALIFORNIA REVENUE AND TAXATION CODE (AS AMENDED FROM TIME TO TIME).

VICE CHAIR MACCARTEE SECONDED THE MOTION.

AYES:	Commissioners Draper, Herron, Keith, MacCartee and Wilson.
NAYS:	None.
ABSENT:	None.
ABSTAIN:	None.

The motion passed 5-0.

There is a 10-day appeal period.

MISCELLANEOUS

None.

DISCUSSION ITEMS

Discussion regarding 834 Tolita Avenue (no report)

Chairperson Keith stepped down from the dais and left the Council Chambers during this discussion because she lives within 300 feet of the affected property. Vice Chair MacCartee chaired the meeting.

Ms. McCaull reported that this property was given historic designation and subsequently an alteration permit was approved which allowed for the remodeling and restoration of the building along with a reduced setback for a proposed roof deck. Subsequent to that, a building permit was issued for the work associated for the improvements. In response to a telephone call, she visited the site and found some major safety issues. She observed that vertical studs had been situated to hold the second story in place and prevent its collapse. It appeared that more work had occurred than what the Commission had approved and was identified in the plans. Staff placed this item on today's agenda to give the Commission an opportunity to hear from the architect and the contractor as to what occurred and the circumstances, and determine if the project should proceed. The owner states that the building, upon completion, will look just like it did before but will be structurally sound and safe and fit in with the neighborhood.

Vice Chair MacCartee said that this incident has become somewhat of an emotional issue. She would rather concentrate on a means of handling this type of occurrence in the future as this may happen again.

Ralph Taylor, the contractor for this project, said his intent was not to cause any problems. He stated that this home has many serious structural issues and had to be exposed to this extent for safety's sake but feels that the "bones" of the home are still there. However, he does not know how much of this structure he can save. The owners' intent is to rebuild the home exactly as it looked before.

Commissioner Wilson said that she understands Mr. Taylor is a reputable builder. However, she feels that what they are building now is a reproduction.

Mr. Taylor said he did not disagree but feels that in order to save historical resources for future generations, it is sometimes necessary to restore or reproduce some of these homes. This home was not built to strict specifications and, unfortunately, it has serious structural issues. He was not able to tie in shingles or retrofit the windows or doors because there was no weatherproofing under the shingles or flashing around the windows.

Commissioner Wilson said that a reproduction was not a better alternative.

Commissioner Draper asked if the foundation was okay.

Mr. Taylor said the plans indicated that the entire foundation should be replaced. The foundation has no footing underneath it. The typical exterior perimeter of the foundation has a stem wall that rises out of the ground and supports the floor joists. Underneath the stem, which is about 6-8 inches wide, there is a footing which is typically a minimum of 12 inches wide by 12 inches deep. The second stories are required to be deeper and wider. Because there are no footings underneath the foundation, the stem wall goes down to the ground and stops. Basically, there is nothing to build on as far as obtaining the proper weight transfer from the weight of the building to the ground. He agrees that the foundation needs to be replaced.

Commissioner Draper said there is not much left but the redwood.

Mr. Taylor said the redwood is in good condition. Unfortunately, there are no window headers above the window and door openings. Also, there is no header over the porch which is why there was so much sagging – about 2 to 3 inches. When the stucco was removed around the column that was supporting the porch, there was no wood inside. The rotted stucco was the only thing holding it up. The column on the right side had been previously repaired and was not in such a bad condition. Unfortunately, the posts were sitting on top of a piece of 1x1 with no flashing to keep the water out and so the water would intrude and the stucco would crack away from the posts. It was rotting away the support for the posts and was causing the posts to sink. Because there was no structural support, it was not possible to build on top of it. It either had to be removed or modified. In his opinion, it would be best to take it down to the floor joists and start over.

Commissioner Draper asked if anything was wrong with the chimney.

Mr. Taylor said the chimney can stay but needs to be raised to meet the Code once the roof line is added above. The chimney must be two feet higher than any roof within 10 feet. The chimney is fairly new.

Vice Chair MacCartee asked when Mr. Taylor first realized there was a serious problem.

Mr. Taylor responded that once the finishes were removed inside the structure, he found that the condition of the framing was very unusual. Typically the floor joists go to the outside wall and the weight transfers down to the foundation at that point. However, it was cut out and a head-out (a double piece of 2x6) was placed. The floor joists were installed into the head-out and it was supported on one 2x6 spanning nearly 14 feet. When he saw this, he realized there was a problem. He did not know that he was not authorized to remove all of the finishes. When he read the plans, it said to “save the existing trellis,” so he took it apart and stacked it in the back yard. He plans to put it back up. There was also a note that said “existing shingles to remain.” However, it was in an area where the service panel was to be installed. He feels that the plans and reports could have been clearer. For example, the plans stated that “there would be further structural issues on the first floor and other finishes may have to be removed to take care of those structural issues.” Subsequently, he found that there were no beams supporting the second floor and no headers over the windows or doors. Because of liability issues, he was not able to leave it as is. The plans also said to “verify existing header.” He verified there were no existing headers. This meant that he would have to strip it down so that he could correct the problems.

When it was stripped down about two-thirds, he realized that he needed to strip it all the way. Additionally, on the exterior shingles, there was no weatherproofing and the home had been leaking for a number of years. New shingles placed up against old shingles that are worn down to about 20 % of their original thickness would cause a very noticeable problem. Further, the old shingles had about 3 to 5 years of life remaining.

Vice Chair MacCartee said there was miscommunication and the Commission will make this a learning experience. She thanked Mr. Taylor.

Kevin Rugee, Architect, 1024 Rugee Avenue, said he would like everyone to "put their heads together" and figure out a way to get this project back on track. He feels that there is an opportunity and an owner who is willing to spend the money, time and effort to put this house back together again. The owner is not interested in building the biggest, tallest or newest house on the block. They love the house and want to replicate it. He understands this is an issue with the Commission. However, he knows that this situation will present itself again and it is important that property owners are able to repair their homes in a manner that is safe and consistent with the original design. He feels that the owners, the Commission and the community have the same end goal in mind – to preserve older homes in the community. The owners have chosen not to demolish their home. The original submittal plans and application/letter for historical designation said there would be structural upgrades. He did not know the extent of these upgrades – no one did. The intent was to upgrade some areas and remove/replace other areas. Sometimes the intent cannot always be fulfilled, especially when dealing with structures this age. The owners would like to keep the historic designation and would like to have a home that is structurally safe and sound. He feels that there are options for the reconstruction of the home. One option would be to take it down to the floor joists and rebuild it. Another option, short of removing all the studs, would be to come in and do some structural retrofitting to the house that is going to be quite significant to make it sound. This would take additional time, effort and expense. If the Commission cannot agree on a way to keep this going forward, the owner may chose to demolish the home. He does not feel that anyone wants this option. He would like to proceed and get the project back on track. He suggested that the Commission may want to, in the future, think about classifying restorations. For example, a Class 1 restoration would be allowed to do maintenance on a home that is in very good condition. Class 2 would be a replication of a home, but would still retain its original character and style. The alternative could be worse.

Commissioner Herron said she had a conversation with Mr. Rugee last Friday regarding the level of demolition on the home. She believes that they are all working towards the same goal. Personal and emotional issues aside, she loves the house. If the owners are willing to take the time, energy and money to put this back to its original state, albeit reproduced, she believes that they deserve, and the Commission should allow them, to do that and reward it with historical designation.

Commissioner Draper said she had issues with the Department of Interior Standards. Once a home has been designated, the Department of Interior has qualifications for an historic property restoration.

Mr. Rugee said that he understood there are many requirements but not having read the

document, it would be difficult to comment. He would prefer to look at the final outcome and make it happen.

Commissioner Draper said in a worse case scenario, historic designation would be removed, and the owners would be able to do as they wish. It appears that the owners wish to replicate what was there.

Mr. Rugee said a variance was granted for the roof deck in order to hide it. Without the variance, the roof deck would have to come forward.

Commissioner Herron asked if the roof deck was pivotal to this issue. That is, are the owners rebuilding the home in order to place the roof deck in the back?

Mr. Rugee said he did not believe so.

Commissioner Herron asked if they were trying to retain the structure or trying to give them a roof deck.

Mr. Rugee said the roof deck could be placed in the front of the home and it would be a moot point if the current zoning were followed. However, they are attempting to keep the roof deck in the back of the house so that the front of the home remains the same.

Vice Chair MacCartee thanked Mr. Rugee. She would like to give the owners a definite response as to what they may do. She requested staff place this item on a future agenda as soon as possible for future reference. She believes that the Commission should have been advised when the problems were discovered so that they could have had an opportunity to deal with it. She feels there are avenues to look into that would allow a replicated restoration so that the neighborhood retains the village character of Coronado. She understands that this situation will come up again in the future. She would like to work together to preserve the character of Coronado if not the exact building. She asked for Commission input.

Commissioner Wilson said she was in favor of removing historic designation. She did not feel the home should be rewarded with setbacks, non conforming upgrades, and other benefits.

Ms. McCaull said that today the item is under “discussion.” If the Commission is comfortable with the manner in which the project is proceeding, that is fine. However, additional action by the Commission requires that this item be placed on a future agenda. She also pointed out that the contractor has discussed his preference in bringing the building all the way down to the floor joists and starting over. That would be considered a significant alteration to the previously approved Historic Alteration permit. The Commission would not have the ability to approve that today. It would have to return before the Commission for consideration because it represents a significant change from what had previously been approved.

Vice Chair MacCartee asked if, for example, the Commission would be allowed to direct the owners to proceed with the retrofitting and not demolish it.

Ms. McCaull said that the Commission could state, for example, that it is understood that the

amount of demolition that has occurred is acceptable and the applicant can proceed and that no additional demolition can occur.

Commissioner Wilson said that would allow for the existing setbacks.

Ms. McCaull said it would allow the owners to proceed as originally approved under the original permit.

Commissioner Wilson said she cannot and will not vote for that.

Commissioner Draper said she had concerns about the owners doing additional demolition work before rebuilding. She would like to give them as much benefit of the doubt. She is not happy about what happened and does not feel that the house should have a historic plaque. Not allowing the Mills Act is also a good idea. She is torn with this situation and would like to be as helpful as she can with this situation. She considers this house a replication. She also welcomes the idea of having various distinctions of alterations and would like to discuss this at a future meeting.

Commissioner Herron said she appreciates that Mr. Taylor shared the details of the tear-down. She feels that it is important to preserve the character of the neighborhood and she is willing to work with everyone.

Vice Chair MacCartee asked if it was possible to preserve the “bones” of the home and still proceed without total demolition.

Mr. Rugee said there will be additional demolition which may require removing joists and replacing it with beams. Some of the floor framing also needs to be cut out.

Mr. Taylor said it is possible to do this although there are structural issues which will require replacement of joists with stronger framing members. There are other issues such as the house settling considerably. For example, from the southeast corner to the northwest corner is an elevation difference of 1 5/8 inches. Since a new foundation will be placed, they would like to reduce the weight on the structure so that they can get the floor level and build a new level foundation underneath it so that it can settle down on new plates. The easiest method is to remove the rest of the framing above the floor line. It can be done but not as well with all the other weight that is on it.

Vice Chair MacCartee said she had called two of the neighbors, Mr. Iverson and Ms. Cobb. They were most concerned that the home look like the plans they had previously viewed.

Commissioner Draper said that it was important to have a paper trail on what this home would be called. Should this home be categorized as a “new replica”?

Commissioner Wilson said it was a good idea. She also felt that the owners could remove the studs today because all that is left is studs and air and there is no longer an historic house. It is an historic reproduction.

Commissioner Draper said the inside of the home is not the purview anyway.

Commissioner Wilson said that if the home is classified as an "historic reproduction," she does not want the benefits to convey.

Vice Chair MacCartee said that she disagreed. She feels that at least they are getting an addition to the neighborhood that would have been lost otherwise. If the owners are given benefits such as setbacks, it is definitely worth it. She feels that new outlines should be made, and agrees that it should be called a "replicated restoration," and shouldn't have some of the benefits. But she would rather see the community replicate homes than tear them down and rebuild something else.

Commissioner Draper said that she was comfortable with giving the home another classification, not allowing the owners a Mills Act contract, and that the home never receive a plaque. At this point, she has no issues with the owners demolishing the home and building a replica. She feels that it may be easier for the owners to start all over.

Ms. McCaull asked if the Commission was proposing that the historic designation be removed. If so, the item would need to be continued so that a formal hearing can be held.

Commissioner Herron said there are setbacks and certain benefits that the owners have received.

Commissioner Draper said she was not suggesting taking away those benefits because it is a benefit to the neighborhood to have the roof deck in the rear.

Ms. McCaull suggested that the Commission could allow the project to proceed as is and at the next hearing, action could be taken on the aforementioned issues such as its historicity, classification, and setback allowance.

The Commission agreed that they had no issue with the owners demolishing the structure at this point.

Mr. Rugee understands that the owners are receiving a roof deck setback benefit. He feels that this benefits not only the owners but also the community. Further, the owner will be expending much time and effort to replicate the home. He reminded the Commission that the benefit is not solely one-sided. He requested a recess to speak with the owners.

Vice Chair MacCartee called a recess at 4:48 p.m.

The meeting was called to order at 4:53 p.m. All Commission members were present.

Mr. Rugee said he spoke with the property owners and they are okay with not having the plaque. He also understands there is no Mills Act potential. They are requesting that the Commission allow the owners to demolish and rebuild the home in its entirety as a replication. They would like to know if they can proceed with a demolition of the existing home and return before the Commission in two weeks. They would also like to know if the historic replication item will be sent out as a public notice again.

Ms. McCaull responded that she will consult with the City Attorney on this matter. Her initial thought is because it is designated as an historic resource, it would need a public hearing to remove the historic designation. Technically, if the building is removed, it is no longer an historic resource. There is no legal mechanism in the Ordinance to allow them to have a reduced setback. The demolition of an historic resource would trigger some type of CEQA review. She would recommend that this item be continued. If the owner wants to proceed with an approved set of plans and proceed with work as the City has already allowed, that can occur for the next few weeks. Possibly a subcommittee could be formed so that they and staff could work with the owner or contractor to come up with a series of recommendations and alternatives.

Vice Chair MacCartee said it would appear that in order to avoid these issues, it would require to keep the project on track as it is currently approved.

Ms. McCaull said that to keep the project moving, they would proceed under the authorized building permit. The Commission would have to look at ways to mitigate the loss of an historic resource and the question would be if the replication of the existing house is adequate mitigation for the loss. That would be addressed through a public hearing.

The applicant, Martin Brown, said this issue appears to be getting worse. He has one year and over $50,000 invested in this project to get where he is right now – and he is not sure where that is. He does not want to invest any more funds into this project unless he gets a clear direction on how to proceed. It can stay like it is for six months if that is what it will take but it will be an eyesore to the community. He would prefer to rebuild the house the way it looks right now with an expanded rear second floor and a roof deck. If that cannot be accomplished, then the alternative would be to build something new from scratch and start over. He feels that they must work together to figure this out. They are one year into the project and they are stopped. He cannot have the structure reinforced, which would require more money, in order to save old 2x3's that are in the wall that are meaningless to everyone. He would like to go forward but will not expend any more money until he has some direction. He is willing to spend the time with the Commission and staff to find a solution. He is willing to rebuild a replica, adding very minimal additional square footage, although it is not the very best use for that property. He is very frustrated but he would like to work it out.

Vice Chair MacCartee asked if Mr. Brown would be available for the next two weeks.

Mr. Brown said he would be available after November 10.

Ms. McCaull said it appears that Mr. Brown is proposing to build from ground up.

Mr. Brown responded yes, with the additions that have been discussed and approved. If that cannot be done, he is willing to start over.

Ms. McCaull stated that what Mr. Brown is proposing is an alteration to his previously approved Historic Alteration permit, which did not call for the complete demolition of the home. She suggested that Mr. Brown file with the City an Historic Alteration permit to reflect the complete demolition. He will also need to fill out an Environmental Checklist Study and staff would make

a determination on whether the City would allow a complete demolition and reconstruction, mitigation being that it is a replication of the original historic home. She does not know whether this can be done. She will check with the City Attorney but does not see how a brand new house can be constructed with historic resource benefits.

Mr. Brown said it did not appear the amendment approving a full demolition would be approved.

Ms. McCaull said that it would trigger a full environmental review and whether or not replicating a home is adequate would not be something she could answer as it would need a public review process.

Mr. Brown said that if that is the first step, he is willing to do that. It would mean further delays.

Ms. McCaull said that what he is proposing now is a completely different project than what his architect or contractor were discussing twenty minutes ago. They indicated that the building could be structurally upgraded without much further demolition. The Commission was comfortable allowing it to proceed. But now it is different. He is proposing the structure be rebuilt from ground up which is different from the approved alteration permit.

Mr. Brown said that there is so much structural problems existing in the home that they will end up with a different structure altogether. It cannot be rebuilt the way it is now. He understood some of the Commissioners to say “why not take it down and rebuild it?”

Vice Chair MacCartee said that they could continue this item for two weeks, consult with the City Attorney, form a subcommittee to speak with the owners and the contractor and architect. Or the Commission could allow the owner to proceed with the project as is.

Mr. Brown said he was afraid to proceed because in order to do so, more of the structure would need to come down.

Vice Chair MacCartee said she understands everyone is upset but if Mr. Taylor returned in two weeks and said that a major beam needed removing, she does not feel that the Commission would have an issue. It is important to move forward.

Mr. Brown said that since he has waited this long, he would prefer that this item be continued for two weeks so that alternatives can be considered.

The Commission agreed. It was decided that Commissioners Draper, MacCartee and Wilson were available to serve on the subcommittee and that two of the three would meet with the owners, contractor, architect and staff.

Discussion regarding the status of the Mills Act Agreement for 605 Tenth Street and located in the R-1A Single Family Residential Zone.

Ms. McCaull reported that this item was scheduled to be discussed at the October 4 meeting and was continued at the request of Mr. and Ms. Smith to today's meeting. The Commission received correspondence from the Smiths indicating their concern with the prioritization of the Mills Act agreements and the status of their Mills Act agreement. The Commission appointed a subcommittee of Commissioners Herron and Wilson to meet with the City Manager's Office to discuss the situation and obtain assistance or direction. Ms. McCaull stated that the City Manager views the Mills Act Program not as a tax reduction program but rather a tool to assist and promote historic preservation. He feels that simply because a property owner applies for designation does not entitle them to a Mills Act Agreement. He felt that it was appropriate for the Commission, on an as-needed basis, to evaluate Mills Act Agreements and recommend those properties that qualify and those that do not. He was not supportive of granting additional exceptions for the Mills Act Program for the coming year.

Chairperson Keith asked how this item relates to the agenda item regarding the Mills Act Agreement Recommendations for 2006.

Ms. McCaull said that one item has been placed on the agenda a number of times in response Mr. and Mrs. Smith's request. The other item is on the agenda because once a year the Commission provides a recommendation to City Council on the Mills Act Agreements. The Council has recommended that 629 A Avenue be deferred from 2005 to 2006. There are three contracts that have no current fiscal impact. Those are being recommended to be forwarded along with 1033 Adella Avenue.

Duncan Smith, 605 Tenth Street, inquired about the minutes of September 20 Commission meeting. (The Minutes were provided to Mr. and Mrs. Smith during the meeting.) He expressed disappointment that the order of approval of their Mills Act Agreement for their home was changed. He understands that he and his wife made a decision to restore their home. One consideration in making this decision was the tax benefit of the Mills Act. Their home is now preserved but it appears a breach of faith to now have other homes that have not yet received the benefit to be considered ahead of their home. They are requesting that the Council grant a special circumstance to allow the home at 1313 10th Street approved in 2006, and to have their home at 605 Tenth Street receive the Mills Act in 2007, the year it was originally scheduled. For the benefit of other property owners who are considering pursuing the Mills Act, there should be a clear policy where chronological order is adopted as criteria for prioritization of granting the Mills Act Agreement.

Chairperson Keith responded that many of the homes that have been placed ahead of 605 Tenth

Street did not have a financial impact on the City. The Commission tried to accommodate as many of those homes as possible.

Karen Smith, 605 Tenth Street, added that at the Commission meeting of September 20, Vice Chair MacCartee admitted that the Commission had made an error and asked what could be done to fix it. The note from the City Manager did not admit to any mistakes that were made. She personally feels that the Council made a mistake, that the order was wrong, and that the Commission voted on the wrong list. She feels that the next best thing is that when the Mills Act is discussed at the next Council meeting, that someone from the Commission admits to what happened and how it has impacted property owners.

Mr. Smith asked the Commission for their suggestions on what steps to take.

Commissioner Herron said the City Manager made two points very clear. The first is that this is a privilege and not an entitlement. Secondly, that the Council had asked that the Commission prioritize the homes by historic significance through a point system that is non subjective. In a tie-break, it should rely on their chronological order. He also said that the total annual cap is $10,000.

Chairperson Keith made the recommendation that 1313 10th Street and 605 Tenth Street be recommended to Council for approval of the Mills Act Agreement in 2007 with the explanation that errors were made by the Commission in their prioritization process.

Ms. Smith appreciated the Commission's efforts and acknowledged that the system the Commission was given did not work.

Discussion regarding the Historic Preservation Newsletter (no report).

Ms. McCaull reported that the Commission is preparing the next newsletter that will be distributed with the Coronado's Currents in January of 2007. The deadline for the Commission's newsletter to be submitted to the City Manager's office is December 4, 2006.

Discussion regarding the Mills Act Agreement Recommendations for 2006

Chairperson Keith said that the 2006 recommendations have already been presented to the Council.

Ms. McCaull said that the item is being heard by the Council on November 21, 2006.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:42 p.m.

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Tony A Peña
Director of Community Development