

HISTORIC RESOURCE COMMISSION
MEETING MINUTES

Special Meeting

November 17, 2006

The Special meeting of the Coronado Historic Resource Commission was called to order at 4:25 p.m., Friday, November 17, 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

DIRECTORS REPORT

Ms. McCaull reported that the next regular Commission meeting will be December 6. There is a very full agenda which includes three historic designation requests, two demolition permit requests, and two Mills Act Agreement requests. In addition, the Commission will be also considering the Draft Demolition Permit Review List.

ORAL COMMUNICATIONS AND OTHER MATTERS

None.

DISCUSSION ITEM

Discussion regarding the Historically Designated Residence and associated Historic Alteration Permit issued for improvements and restoration work to the residence addressed as 834 Tolita Avenue and located in the R-1A (Single Family Residential) Zone.

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

Ms. McCaull reported that the Commission has been discussing the property located at 834 Tolita at their last two meetings, November 1 and 15. The City issued an Historic Alteration Permit for the restoration of the building and addition of a second story with a new roof deck that was provided as an exception to zoning standards. While more of the building had been removed than originally anticipated by the Commission, the main framing of the building has remained including the second story element that represented the "airplane" architectural style, which was one of the main reasons for the historic designation. The matter was brought before the Commission to discuss if the project should be permitted to proceed as originally permitted or if the Commission felt that too much work had occurred on the site and perhaps some other alternative to the project proceeding would occur. At the last meeting, there was a motion to

allow the project to proceed, however, there were only three Commissioners present and the vote was 2 to 1. The motion failed because the Commission's bylaws require the affirmative vote of all three Commissioners to take action. There was no resolution on the issue. The Special Meeting was called today to allow more Commissioners to participate in the discussion and to resolve the matter in a timely manner. The issue before the Commission is to discuss alternatives and options for the subject property. The following is a summary of the various options/scenarios for the Commission and property owner:

Scenario I would allow the contractor to proceed with the project as originally approved allowing for the structural upgrades to the remaining framing of the dwelling including a new foundation as called out on the plans. It would also allow construction of the roof deck as originally approved. The structure would remain "historic" although simply having the historic designation would not require that the Commission award a historic plaque or that the City Council approve a future Mills Act Agreement. It would not be appropriate or legal for the Commission to allow the Historic Alteration Permit to proceed as originally approved with exceptions to the Code and then act to remove the designation. The designation is necessary to receive the reduced setback for the roof deck. Additionally, the owner has testified that he will build a "new" type of dwelling rather than the current design if the zoning exceptions are not allowed. The current design is compatible in scale and character with the existing neighborhood.

Scenario II would not allow the project to proceed. The Commission would hold a hearing and determine the structure is no longer historic. The finding that the extent of work completed at the site destroyed the historic significance of the structure would trigger environmental review in accordance with the CEQA. Typically the demolition of an historic structure is considered a significant environmental act and triggers an Environmental Impact Report (EIR). This would have financial impacts on the owner of the property to go through the EIR process, and ultimately, the mitigation for the loss of the structure would most likely be to reconstruct the house, as it existed prior to the demolition. This approach causes significant delays and ultimately results in a very similar condition as Scenario I.

Scenario III would involve the complete demolition of an historic resource and the owner would be allowed to build a brand new dwelling including a roof deck. This would also trigger CEQA and the need for an EIR and analysis for appropriate mitigation for the loss of the historic resource. The appropriate mitigation would be determined through the EIR review process and input from the public and a qualified historic consultant would be paid for by the property owner to prepare the EIR.

Scenario IV would allow the owner to demolish the entire structure and then proceed, rather than have the owner structurally retrofit the dwelling as originally called out on the plans. This proposal would represent a change in the circumstances of the project originally approved and would change the type of environmental review that would be completed. The project change would trigger more review than a Categorical Exemption due to the demolition of the structure. The most likely process would be an Environmental Impact Report and incorporation of mitigation measures for the loss of the structure. Most likely the structure would be required to be rebuilt per its original condition.

Staff recommends that the project proceed as outlined in Scenario I, and that this item be

scheduled on a future agenda as a discussion item regarding the Commission's policy with respect to remodels / restoration / demolitions of historically designated structures and the non-issuance of a plaque or Mills Act Agreement.

PUBLIC COMMENT

Sally Krummenacher, 1104 Isabella Avenue, asked if the Commission's decision is appealable to the City Council, and if so, the timeframe.

Ms. McCaull said there is a valid permit already in effect. This is Commission direction to staff as to whether or not the project can proceed. There is no appeal on the vote today.

Ms. Krummenacher asked if staff had received a ruling on this from the City Attorney.

Ms. McCaull said she had not.

Nancye Splinter, 1027 G Avenue, expressed concern that much of the historic home had been demolished and said that she reported the incident to the City. She feels that homeowners who demolish their homes without a permit should be fined.

Sharon Sherman, 657 Pomona, agreed that some type of mechanism needs to be put in place so that this does not happen again. She feels the issue today is the appearance of what has occurred and the integrity of the Historic Resource Commission. She feels that it is the Commission's responsibility to keep the integrity of the historic Ordinance intact. She stated that there is no historic structure left and does not feel that this home should be considered on the same par with other historic homes. If the Commission takes the position that this project can go forward as an historic resource, it lowers the integrity of every other historically designated structure in Coronado. The historic Ordinance today does not enable some type of reconstruction or restoration but there are alternatives. She commended the homeowners for their willingness to maintain the village atmosphere and suggested that the homeowners ask the Planning Commission for variances with the support of the Historic Resource Commission. She would not object to such an action as long as it is not under the umbrella of the structure being historic because it is not. Further, there are percentages that must be matched or met, under federal and state requirements for historical designation, on how much of the original structure is left. Unfortunately, in this case, there is nothing left.

Kelly Purvis, 560 C Avenue, said she feels that the structure is no longer historic and should not maintain its designation or receive benefits.

Ralph Taylor, RB Taylor Construction, 810 Country Club Lane, apologized for the problems that he created. However, he said that, according to the plans, everything was to be stripped off –the roof, interior finishes, doors, and windows. The only item not listed on the plans was the shingles. Because there was a lack of weatherproofing under the shingles or flashing around the windows, he had to strip down or remove the shingles. He encouraged the Commission to approve Scenario I.

Commissioner Wilson asked Mr. Taylor if his scope of work included removing and replacing

the roof.

Mr. Taylor responded yes.

Commissioner Draper asked Mr. Taylor what work needs to be done before he can start rebuilding.

Mr. Taylor said that the foundation must be removed and replaced, which was in the original plan.

Commissioner Draper asked if the current plans include enlarging the footprint of the home.

Mr. Taylor said that the plans call for a 3-foot cantilever on the second story that goes into the backyard.

Commissioner Draper said she was referring to the ground floor.

Mr. Taylor said that all exterior first floor walls are intact including the studs and the framing. All of the interior walls are intact except the wall that served as a partition for the back two bedrooms. The homeowners decided they wanted to make that area into a family room area rather than two bedrooms.

Commissioner Herron asked Mr. Taylor how he would proceed if Scenario I was approved.

Mr. Taylor said he has placed plywood shoring and 2X4 bracing to keep the building up. He has also placed 2X4's underneath the areas of the second floor to keep it from collapsing. He has re-supported the front porch area which was completely rotted out. In the living room, the stucco has been removed. He would like to detach the home from its foundation, replace it and then level it off.

COMMISSION DISCUSSION

Commissioner Herron said that this particular home is the most difficult project the Commission has worked on. She does not feel that the Commission's decision today will set a precedent. She feels that the Commission's goal is to preserve and protect the integrity of the neighborhood. This home has the spirit and "airplane" design element that they favor, which is still intact. She thanked Mr. Taylor and Mr. Rugee for their dedication. She is positive that the home can retain its historicity.

Commissioner Wilson disagreed. She does not believe that the Commission's goal is to preserve the entire neighborhood. They are here to discuss this specific property. If the studs were removed today, another home could be built. However, because of the residential standards, there are certain limitations. There is always a struggle to save the small amount of history they are pledged to save. She feels there was a problem with the architect, not the builder, as someone needed to be in charge of the project. She understands that historic homes are costly to maintain but feels they can be restored. She feels that historic designation and precedent is a problem now that the home has been reduced to studs and bones.

Commissioner Herron said that the homeowners originally wanted to demolish the home. The Commission offered them an opportunity to save the home. The decision today will not set a precedent. The Commission needs to support the homeowners to continue their project.

Commissioner Draper said that she no longer feels the structure is a house, but does not believe that the owners and builders were being disingenuous. She feels an obligation to the homeowners as they were persuaded by the Commission to not demolish their home. In addition, the Commission approved the alterations. She would like to have clear wording in the motion that the house will not be eligible for a Mills Act agreement and that the homeowners will not receive an historic plaque. She also understands that the Ordinance must be changed to delineate more possibilities to include terms and conditions regarding replicas.

Vice Chair MacCartee said that if the applicants had returned before the Commission with the newfound issues, she would have agreed to have the problems fixed. She does not feel that her only task is to identify historic resources and believes in the character and preservation of the community. She urged the homeowners to consider historic designation because she did not want the home to change. She understands that the alternative was to demolish the home and to rebuild a new home. She does not believe that there were any bad intentions on anyone's part and that the incident is due to a lack of communication. She hopes that this will be a learning experience. The Commission needs to identify the steps to take when an issue like this arises as it will again. She does not think it is right to punish the homeowners, builder, or architect because of a situation that has never been dealt with before. She would like to support Scenario I with the motion that a Mills Act agreement not be recommended for approval. She suggests that the historic plaque, which has already been ordered, be given to the homeowners to be placed out of public view.

Commissioner Draper would like to include in the motion explanation as to how the Commission reached its decision today. Possible reasons could include the scope of the permit, lack of delineation about when to start/stop work, and steps that could have taken place when problems arose.

Commissioner Wilson asked how Ms. Sherman's suggestion with regard to removing the home's historic designation and working with the Planning Commission could be implemented.

Ms. McCaull said that it could be done but would require much time and involve the California Environmental Quality Act (CEQA) because the Commission would be making the finding that the structure is no longer historic. Under CEQA, it would be considered a significant adverse impact on the environment and typically would require an EIR. This process would be very time consuming.

Commissioner Wilson asked if it was possible to remove the historic designation from this structure without it triggering the CEQA.

Ms. McCaull said this is the difficulty with establishing an Historic Preservation Program, which is why the City Attorney advised the Council five years ago to be cautious with adopting the program because CEQA is triggered with historic preservation. CEQA is very complicated,

costly and time consuming.

Commissioner Wilson asked about the costs involved in the CEQA process.

Ms. McCaull said it depended on the level of environmental review. It can range anywhere from \$20,000 to \$30,000. It would also involve a Request for Proposal, a public process where the City would ask environmental firms to submit proposals for an environmental analysis. That recommendation would then be taken to City Council and the property owners would be responsible for paying the fee for the environmental analysis. Mitigation about the type of structure to be rebuilt would follow.

Commissioner Wilson asked about the shed at the rear of the property line which is six inches over the property line. It was allowed because of the historic designation.

Ms. McCaull clarified that there is an existing accessory building on the property. It is non conforming with today's setback requirements but the homeowners are not proposing any alterations to that structure. It would be allowed to remain.

Commissioner Herron said that with regard to the variance, the Planning Commission has granted two variances within the last eight years. However, there is no language for allowing variances for older structures.

Commissioner Draper said she does not want to trigger the CEQA. The homeowners have waited for six months and she does not want to penalize the homeowners.

Ms. Splinter reiterated on her comments made earlier in the meeting.

Ms. Sherman said that perhaps something could be included in the motion that gives the reason this extraordinary measure is being taken by the Commission. It could state that the Ordinance is lacking in direction as to how to handle a situation like this when it arose.

COMMISSION ACTION

VICE CHAIR MACCARTEE MADE A MOTION TO APPROVE SCENARIO I, TO ALLOW THE PROJECT AT 834 TOLITA TO PROCEED AS ORIGINALLY APPROVED ALLOWING FOR THE STRUCTURAL UPGRADES TO THE REMAINING FRAMING OF THE DWELLING INCLUDING A NEW FOUNDATION AS CALLED OUT ON THE PLANS AND THE CONSTRUCTION OF THE ROOF DECK AS ORIGINALLY APPROVED WITH THE HISTORIC ALTERATION PERMIT, WITH THE CONDITION THAT THE COMMISSION WILL NOT RECOMMEND APPROVAL OF A FUTURE MILLS ACT AGREEMENT AND THAT THE HISTORIC PLAQUE WILL BE GIVEN TO THE HOMEOWNER BUT WILL BE DISPLAYED OUT OF PUBLIC VIEW.

COMMISSIONER HERRON SECONDED THE MOTION.

The Commission clarified that they were taking extraordinary measures because this is a specific situation that is not dealt with in the City's historic Ordinance. The Ordinance does not adequately address the percentage of demolition permitted.

AYES: Commissioners Draper, Herron, and MacCartee.

NAYS: Commissioner Wilson.

ABSENT: Commissioner Keith.

ABSTAIN: None.

The motion passed 3-1.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:50 p.m.

Tony A Peña
Director of Community Development