

HISTORIC RESOURCE COMMISSION
MEETING MINUTES

Regular Meeting

December 3, 2008

The regular meeting of the Coronado Historic Resource Commission was called to order at 3 p.m., Wednesday, December 3, 2008, at the Coronado City Hall Council Chambers, 1825 Strand Way, Coronado, California, by Chairperson MacCartee.

MEMBERS PRESENT: Commissioners Crenshaw, Jones, MacCartee, O'Brien and St. Denis

MEMBERS ABSENT: None

STAFF PRESENT: Ann McCaull, Associate Planner
Martha L Alvarez, Recording Secretary

APPROVAL OF MINUTES

The minutes of October 15, 2008, were approved as submitted.

The minutes of November 5, 2008, were approved as amended.

DIRECTOR'S REPORT

There was no separate Director's report.

ORAL COMMUNICATIONS AND OTHER MATTERS

None.

PUBLIC HEARINGS

HAP 18-08 JEFF AND CANDY TYLER – Request for Historic Alteration Permit for the construction of an addition to the historically designated residence addressed as 1427 Fifth Street and located in the R-1B (Single Family Residential) Zone. The alteration permit also requests relief from zoning standards.

Commissioner St. Denis recused herself and stepped down from the dais as she is directly involved in this project.

Ms. McCaull introduced the staff report as outlined in the agenda. The Alteration Permit involves a small second story addition to the residence and a request for reduced side yard setback and reduced parking. Any decision of the Historic Resource Commission to grant a Historic Alteration Permit involving an exception to zoning regulations pertaining to building

setbacks, building height, floor area ratio, lot coverage, or density bonuses is a recommendation to the City Council.

The existing garage has a nonconforming setback. The proposed addition would maintain the existing garage setback of 2'9" where today's code would require a 6'2" setback (10% of 62'). The proposed addition requires Commission support for relief from setback requirements. The proposed addition would have a rear yard setback of 18' which complies with the rear yard setback of 12' setback (20% of 60'). When the project is completed the site would have a floor area ratio and lot coverage of 49% which complies with code requirements.

The site presently contains a single car garage. Today's code requires one garage space and one uncovered parking space so the site is nonconforming in parking. There is room on the property to provide an uncovered parking space; however, the location would be placed in the middle of the courtyard which is an important component to the historical design and layout of the house. The location of the parking space in the central courtyard would impact the resource. The applicant is requesting relief from the parking requirement to retain one garage space rather than one garage and one uncovered space.

Director McCaull reported that no written correspondence or telephone calls have been received.

Chairperson McCartee stated that the Commission was aware the applicant would be returning before the Commission with the requested changes.

PUBLIC COMMENT

The applicant's representative, Doug St. Denis, 1504 Parkview Place, clarified that, with regard to the parking exemption, technically one could park a car in the courtyard; however, the courtyard is part of the historical site. In addition, in order to designate this area for parking, the owner would be required to tear down the historical original wall or the rear wall of the original historic garage.

Director McCaull stated that the City Council's purview is for the reduced side yard setback. A determination regarding parking issues is made at the Commission level. She added that staff is supporting the applicant's request.

The applicant's representative, Dale St. Denis, 1504 Parkview Place, gave a brief overview of the request and answered questions.

Commissioner Jones asked if the arches would be located below the upstairs living area.

Mr. St. Denis said the arches serve as a support for the upper floor. One would be able to walk through the existing lower level patio space.

The applicant, Jeff Tyler, 1427 Fifth Street, gave a brief overview of the request and answered questions. He stated that he and his wife, Candy, spoke with their four most adjacent neighbors who provided written statements in support of the project.

COMMISSION DISCUSSION

Commissioner Jones said the home is charming and wonderful and she feels that the addition will maintain the uniqueness of the original structure. She said the side yard setback is non conforming; however, it does not appear to impact the neighboring property owner.

Commissioner Crenshaw stated that the house is gorgeous and thanked the applicant for saving it.

Vice Chair O'Brien said he is in favor of the project including the use of the aluminum clad windows on the north elevation.

Chairperson MacCartee said she supports the request.

COMMISSION ACTION

COMMISSIONER CRENSHAW MADE A MOTION TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF HAP 18-08, REQUEST FOR HISTORIC ALTERATION PERMIT FOR THE CONSTRUCTION OF AN ADDITION TO THE HISTORICALLY DESIGNATED RESIDENCE ADDRESSED AS 1427 FIFTH STREET AND LOCATED IN THE R-1B (SINGLE FAMILY RESIDENTIAL) ZONE INCLUDING A REQUEST FOR RELIEF FROM ZONING STANDARDS, SUBJECT TO THE FOLLOWING CONDITION:

1. THE OWNER MAY USE WOOD WINDOWS OR ALUMINUM CLAD WINDOWS ALONG THE NORTH ELEVATION OF NEW CONSTRUCTION SINCE THIS ELEVATION IS NOT VISIBLE FROM THE PUBLIC RIGHT-OF-WAY.

THE FOLLOWING FINDINGS WERE MADE:

- A. THAT THE PROPOSED ALTERATION IS CONSISTENT WITH THE PURPOSE AND INTENT OF THIS CHAPTER, THE HISTORIC PRESERVATION ELEMENT AND THE GENERAL PLAN.
- B. THE PROPOSED ALTERATION WILL NOT ADVERSELY AFFECT THE HISTORICAL, ARCHITECTURAL OR AESTHETIC VALUE OF THE HISTORIC RESOURCE;
- C. THE PROPOSED ALTERATION WILL RETAIN THE ESSENTIAL ELEMENTS THAT MAKE THE HISTORIC RESOURCE SIGNIFICANT;
- D. THE PROPOSED ALTERATION WILL NOT ADVERSELY AFFECT THE HISTORIC RESOURCE'S RELATIONSHIP TO ITS SURROUNDINGS AND NEIGHBORING HISTORIC RESOURCES;

E. THE PROPOSED ALTERATION WILL COMPLY WITH THE SECRETARY OF INTERIOR'S STANDARDS AS SET FORTH IN SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT OF 1966.

CHAIRPERSON MACCARTEE SECONDED THE MOTION.

AYES: Commissioners Crenshaw, Jones, MacCartee, and O'Brien.
NAYS: None.
ABSENT: Commissioner St. Denis.
ABSTAIN: None.

The motion passed with a vote of 4-0.

Director McCaull reported that this item is scheduled to be heard by the City Council on December 16, 2008.

Commissioner St. Denis returned to the dais.

MISCELLANEOUS

HRPA 8-08 **CITY OF CORONADO** – Historic Resource Commission discussion regarding possible changes to the Mills Act Program.

Director McCaull introduced the staff report as outlined in the agenda.

Chairperson MacCartee asked if there will continue to be special exceptions to the program for certain residences.

Director McCaull responded yes.

Commissioner St. Denis said that the Mills Act should not be used as a sales tool for realtors. She stated it is unfair to the City and suggested that a requirement be added that a home cannot be sold for one year from the date of receiving Mills Act.

Director McCaull said the issue is that the Mills Act runs with the land and not the property owner. She suggested that the Commission consider whether the structure is being preserved and not focus on who owns the property.

Commissioner St. Denis said the program leaves much to interpretation. She suggested that if the Commission grants the Mills Act, they may want to consider certain requirements of the owners such as the front of the home not being changed.

Commissioner Jones mentioned an editorial placed in the San Diego Union newspaper which spoke about similar issues the City of San Diego is experiencing with regard to their Mills Act Program. The article questions whether Mills Act funds are being applied to the preservation of

the home by the property owner.

The Commission proceeded to discuss the key component that affects the restricted Mills Act value of a property—the estimated rental value that is assigned to a residence by the County Assessor using the Capitalization Method. Staff provided examples of Current Program Analysis and Rent Controlled Program Analysis and illustrated how controlling the rental value will allow additional properties to participate in the program each year.

Commissioner St. Denis asked if the City works with the owner to determine the rental value.

Director McCaull said yes. Rather than negotiating the rental value, staff is suggesting that the City establish a policy of 50 percent reduction, which would reduce the loss to the City and, in turn, more owners could participate in the program each year.

Bruce Coons, Executive Director, Save Our Heritage Organization (SOHO), 51 Aruba Bend, expressed some concern over the proposed changes to the Mills Act Program. One of the issues in placing a cap after the fact is that it may create an environmental impact by reducing current protection. Another issue in determining an arbitrary rental value is that it may raise legal issues.

Director McCaull stated that with regard to possible reduced protection, the residence is preserved under the Mills Act and cannot be demolished regardless of the financial benefit. In addition, the Mills Act Agreement is not an automatic entitlement and the City has the ability to approve or deny any agreement.

Mr. Coons said that he supports stricter restrictions be placed on the type of improvements allowed for Mills Act homes.

Commissioner St. Denis asked about the number of Mills Act Agreements in place to date.

Director McCaull responded 33.

Commissioner Jones asked if the life of the Mills Act is 10 years.

Director McCaull said it is a 10-year revolving contract so it is in perpetuity until a property owner files a Notice of Non Renewal, or if the City finds a property owner in non compliance with the Mills Act.

Commissioner Jones asked if the City has ever found any of the designated homes in non compliance.

Director McCaull responded no. She added that she conducts annual inspections for non compliance of all properties in Coronado.

Commissioner Jones asked if the listed improvements are generally maintenance related.

Director McCaull said it varies. Some property owners list general maintenance while others list restoration of wood windows and re-roofing. She added that she keeps track of the improvements via the building permits that are issued.

Commissioner Jones asked about the follow-up procedures if the property owners have not completed any of the listed improvements.

Director McCaull said that the program began in 2001 so the listed improvements will need to be completed by the property owner by 2011.

Vice Chair O'Brien asked that staff provide him with a copy the Mills Act Agreements. He would like to determine whether there is an opportunity to negotiate from the formula which provides a significant tax change given that the community is so expensive.

Chairperson MacCartee stated that she would like to speak about the concept of the Mills Act as it pertains to Coronado. She reminded the Commission that they are their own separate City and can forge different philosophies within the boundary they are allowed.

Vice Chair O'Brien stated that so much of the Mills Act is unfair to one party or another, such as the City, or a resident who is using it as a brokerage opportunity. He feels that each situation should be considered on a case-by-case basis. Consideration should be given to the amount of property taxes before and after the sale of the property, before and after renovation, and at the time of application for Mills Act as each one creates a different set of issues.

Commissioner Crenshaw asked how many of the homes that are designated historic have applied for the Mills Act.

Director McCaull said that of the 122 homes that have been designated, 33 have been granted Mills Act, and 27 are on the waiting list, so a total of 60 have applied for the Mills Act.

Commissioner St. Denis commented that not all of the homes that have been designated historic qualify for the Mills Act.

Commissioner Crenshaw said that prioritization for the Mills Act needs to be addressed as she feels that it should be prioritized chronologically.

Commissioner St. Denis suggested that as a Commission, they should be trained in the Standards of the Secretary of Interiors.

Chairperson MacCartee said that a workshop between City Council and the Commission would be a good place to start. She said that the Commission must make their own rules and exceptions because the community has significantly changed. She also added that flexibility is important in order that property owners maintain an interest in preserving their homes.

Mr. Coons said there is a significant amount of flexibility within the Standards and he would be

glad to coordinate a presentation for the City Council and Commission.

Director McCaull confirmed that staff would coordinate a meeting.

Report regarding Historic alteration Permit issued for 921 A Avenue.

Vice Chair O'Brien recused himself and stepped down from the dais as he is directly involved with the project.

Director McCaull reported that the owner of 921 A Avenue will proceed with the original Historic Alteration Permit approved by the Commission in December of 2007. The City was recently notified that the subsequent alteration permit approved for the residence in September 2008 is no longer a viable alternative because the new project would be plan checked under the new 2008 Building Codes which would lead to significant costs and delays to the project.

Mr. John O'Brien, 1140 Coronado Avenue, said he is the contractor for the project. He stated that the issues were mostly structural under the new Code and it would require significant changes which would considerably set back the project.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:36 p.m.

Tony A Peña
Director of Community Development