

Mendocino Historical Review Board

c/o Planning & Building Services
120 West Fir Street
Fort Bragg, CA 95437
964-5379



Mendocino Historical Review Board
Action Minutes – February 6, 2023

ACTION MINUTES – SPECIAL MEETING FEBRUARY 6, 2023

These are action minutes. For a complete transcript of the meeting, please request a copy of the digital recording. The meeting recording is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> and a recording of this meeting is available at the Planning and Building Department upon request. There is a fee of \$10.00 per recording.

The Action Minutes were approved, with clarifications, at the March 6, 2023 MHRB meeting.

1. Call to Order.

The Review Board convened at 4:00 p.m. for its scheduled site views located in Town; at 5:00 p.m. the site views concluded. Site views of projects were completed in the following order, beginning at 4:00 pm: *9a, *9c, *9d, *11a, and *9b. Review Board Member Aum recused from attending site view #9d and did not attend site view 11a, which is located on an adjacent property.

The Review Board convened at 7:00 p.m. for its scheduled regular meeting.

2. Roll Call.

Present:

Review Board Members: Saunders, Madrigal, Kappler, Aum, and Roth.

Planning and Building Services Staff: Planner Cherry, Planner Cliser (presenting), Planner Switzer (presenting), Planner Crowley (presenting), and Director Krog.

3. Determination of Legal Notice. The meeting was properly noticed.

4. Approval of Minutes.

4a. September 2022 Draft Minutes were adopted with minor corrections (e.g. Agenda Item 2 add Saunders, and Agenda Item 12A correct spelling of “purview”) following a motion by Review Board Member Saunders, which was seconded by Review Board Member Kappler. The vote to approve the September meeting minutes with corrections was unanimous.

4b. November 2022 Draft Minutes were adopted, after clarifying Agenda Item 10B, following a motion by Review Board Member Madrigal, which was seconded by Review Board Member Kappler. The vote to approve the November meeting minutes with corrections was unanimous.

4c. December 2022 Amended Draft Minutes were adopted, after clarifying Agenda Item 11a (page 4-5) and correctly numbering agenda items 12-14, following a motion by Review Board Member Kappler, which was seconded by Review Board Member Madrigal. The vote to approve the amended December meeting minutes with corrections was unanimous.

5. Correspondence. From Mr. Bill Zimmer regarding temporary use of tents/canopies in Town.

6. **Report from the Chair.** Welcomed the public to the first regular meeting of MHRB since March 2020. The Chair requested presentation of the Code Enforcement Activity Report at the next MHRB meeting.

7. **Public Expression.**

Mr. Rick Sacks spoke about copy changes to existing commercial signs in Town.

Mr. Kelly Grimes advocated for a process to amend MHRB Permits, as changes during construction are common.

8. **Consent Calendar.** None

9. **Public Hearing Items**

9a.* **CASE#:** MHRB_2022-0008

DATE FILED: 9/9/2022

OWNER/APPLICANT: MAIN STREET MENDO LLC

AGENT: KELLY GRIMES

REQUEST: Request for a Mendocino Historical Review Board Permit to replace a water tower staircase with a new enclosed staircase structure, reroute an existing wooden pathway, and construct a wooden ramp for access to an existing raised deck. Note: The site is listed as a category IVb non-historic resource in Appendix 1 of the Mendocino Town Plan ("deli and restaurant").

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45040 Main Street, Mendocino; APN: 119-238-10.

SUPERVISORIAL DISTRICT: 5 (Williams)

STAFF PLANNER: LIAM CROWLEY

PRESENTERS: Planner Crowley presented the February 6, 2023 recommendations from staff, including that MCC Section 20.760.060(D) *Action by the Review Board*. The Review Board may approve; modify or condition their approval of an application; deny an application; and the applicant may withdraw their application prior to the Review Board's action. Kelly Grimes (agent) advocated for revised project design and stated that the Water Tower is not listed in the County's inventory of historic structures.

PUBLIC COMMENT: Planning staff read written comments received prior to the meeting. Mr. John Simonich spoke in support of the duty to maintain structures within the Historic District and MCC Sec. 20.760.100. Mr. Rick Sacks reminisced about the water tower's history and Mr. Barry Cusick's work in 1975 to restore the tower at its current location. Ms. Deirdre Lamb spoke about the duty to maintain structures within the Historic District, and from the 1987 Design Guidelines "Demolition by Neglect" and "General Principles for Rehabilitation, Restoration or Renovation of Existing Historic Structures." Ms. Judy Steele advocated for the project and spoke about the cost to create an accessible space within a safe structure. Mr. Matt Ohalloran spoke in support of the redesigned project. Ms. Simone Piasias asked the Board to reject the proposal to demolish the water tower. Ms. Stephanie Simonich said that the structure was historic and advocated against dismantling one of the few remaining water towers in Town. Mr. Noah Sheppard spoke about adaptive reuse of the historic structures, like the water tower, and said that the design's proportions, as presented, could be improved by proposing a taller replacement water tower. Mr. John Cavanaugh said that the loss of any water tower in Town is significant and that the costs of maintaining historic resources is significant. He queried whether the lift could be incorporated into the restaurant building and suggested that the windows and doors should reflect the architectural character identified with the Historic District. The Chair granted Ms. Deirdre Lamb additional time to conclude her initial remarks.

REVIEW BOARD DISCUSSION: Review Board Member Aum sympathized with the applicant's concerns (maintenance, available replacement materials, and providing safe,

accessible access to the second-floor restaurant) and he mentioned his concerns about the proportions of the redesigned project. He described typical features of other water towers in Town, including a cantilevered upper deck extending past the posts and four corners of a water tower. **Review Board Member Kappler** asked Mr. Grimes whether it is not possible to repair the existing water tower and incorporate a lift within it or place it behind it; Mr. Grimes responded a lift within an open structure would not last and added that the water tower is not listed in the inventory of historic structures. Review Board Members Kappler and Aum suggested enclosing the open structure by cladding the exterior of the lift; and Mr. Grimes did not agree. Review Board Member Kappler said the tower was more than 100-years old and about 50-years ago it was relocated to its current site. He could not support demolishing a 100-year-old water tower. **Review Board Member Saunders** commented that the ADA access was not designed to be part of the existing two-story building, with a restaurant on the second floor; he said that he could not support the current proposal. **Vice Chair Madrigal** said at the previous meeting she asked staff about the board's authority to require the property owner to retain a structure. She is concerned about a Review Board's decision effectively forcing liability on to the property owner. She described the conflict between maintaining a historic structure that is going to decay and the responsibility to preserve structures within the Historic District. Review Board Member Kappler supported her comments and mentioned that all property owners in the Historic District have a duty to maintain. He inquired whether the existing water tower was extensively damaged. **Chair Roth** mentioned page 11 of the Design Guidelines and "Duty to Maintain" all buildings/structures in the Historic District. He explained that there are two structures on the property: the circa 1975-relocated water tower and a two-story building predating the water tower. The Chair inquired why the water tower should suffer so that there is access to the (older) two-story building. Review Member Aum offered a compromise and suggested allowing the applicant to comeback with a different design.

REVIEW BOARD ACTION: Review Board Member Kappler moved to deny the application, which was seconded by Saunders, based on the findings recommended in the February 6 staff report. The motion carried 3-to-2 with Review Board Members Aum and Madrigal voting no.

The Chair announced a 5-minute break and the meeting resumed about 8:27 p.m.

9b.* CASE#: MHRB_2022-0010

DATE FILED: 10/13/2022

OWNER: NOAH SHEPPARD & MEGAN AYRES

REQUEST: An after-the-fact Mendocino Historical Review Board Permit request to install three (3) electric-vehicle charging stations.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 10691 Palette Drive, APN: 119-140-32

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: MARK CLISER

PRESENTERS: Planner Cliser presented staff's recommendations, including a February 6 memorandum suggesting additional revisions to Condition #7. Mr. Noah Sheppard advocated for the project and stated he did not object to the conditions or revision to Condition #7.

PUBLIC COMMENT: Ms. Deirdre Lamb spoke in support of the project.

REVIEW BOARD DISCUSSION: Review Board Member Kappler noted project was previously approved and asked why project is coming before Review Board a second time. Staff explained conditions of the original MHRB Permit required the applicant to finalize their Building Permit prior to the MHRB Permit's expiration; and the property owner had neglected to complete permit requirements within the two-years granted. Chair Roth inquired whether it was possible to change the Permit process, where an expired MHRB Permit would not need to re-apply for an MHRB Permit. Review Board Member Madrigal said she supports the previous decision of the Review

Board to grant a permit for the proposed and offered a motion.

REVIEW BOARD ACTION: Vice Chair Madrigal moved to approve the project with the recommended findings, conditions, and revision to Condition #7. Review Board Member Aum seconded the motion. By voice vote, the Review Board unanimously approved the motion (5-0).

9c.* **CASE#:** MHRB_2022-0011

DATE FILED: 10/13/2022

OWNER: NOAH SHEPPARD & MEGAN AYRES

APPLICANT: MACCALLUM PROPERTIES INC

REQUEST: Mendocino Historical Review Board Permit for after-the-fact permission to install three electric-vehicle charging stations inside two wooden enclosures and install five movable propane heaters from the ceiling of the MacCallum House porch. Note: The site is listed in the Mendocino Town Plan Appendix 1 as a Category IVa Historic Structure, MacCallum House apartments; Category I Historic Structure, site of the Kelly Barn; Category IIa Historic Structure Apple Shed.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45020 Albion St; APN: 119-236-12

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: STEVEN SWITZER

PRESENTERS: Planner Steven Switzer presented staff's recommendations. Mr. Noah Sheppard, owner, advocated for the project and spoke about when the electrical charging stations and heating elements were installed. He mentioned that the heaters are not fixed, as they are easily disconnected from the gas line and removed. But he acknowledged that they have remained in place since they were installed. He requested that the Review Board consider changing the vesting threshold for MHRB Permits and said that reapplying because the MHRB Permits expired was costly to him. Mr. Sheppard also acknowledged that he is requesting after-the-fact permission to alter an exterior window.

PUBLIC COMMENT: None.

REVIEW BOARD DISCUSSION: Vice Chair Madrigal supported the application with screening the heaters. Review Board Member Aum also supported the application. Review Board Member Saunders inquired whether the applicant wants to install stand-alone portable heaters; Mr. Sheppard said he would like, with the Review Board's support, to screen the existing heaters. Review Board Member Kappler supported the concept of screening the heaters. Vice Chair Madrigal said the sample screen almost visually integrates with its surroundings. Chair Roth also supported the application. The Review Board discussed recommended condition #8, potential to delegating the board's authority. Planner Switzer responded that within two-years and prior to issuance of a Building Permit, staff would present the proposed heater screens to the Review Board for their consideration. Review Board Member Madrigal suggested the staff memo (about condition #8) could be a consent item on a future MHRB meeting agenda. Planner Cherry requested the Review Board describe screening methods/designs that might garner support. Summarizing all suggestions, raising the heaters closer to the ceiling seemed to be preferred over affixing wood screens to the ceiling of the porch.

REVIEW BOARD ACTION: Vice Chair Madrigal moved to approve the project with the recommended findings and conditions. Review Board Member Saunders seconded the motion. The motion unanimously passed by voice vote (5-0). It was also agreed to have Planning & Building Services come back to the Review Board with a memo outlining how the heaters were going to be raised and possibly shielded. The Review Board would have to approve this solution before Planning & Building Services would issue a building permit.

9d.* **CASE#:** MHRB_2022-0016

DATE FILED: 11/28/2022

OWNER/APPLICANT: KATHERINE RITCHEY

AGENT: AUM CONSTRUCTION INC

REQUEST: Mendocino Historical Review Board Permit to demo and replace the existing eastern workshop. In addition, demo and replace the roof throughout the north section of the structure to include overhangs. New exterior lighting is proposed. Painted horizontal wood siding and roofing material are to match the existing residence. Note: The site is listed as a Category I historic resource in Appendix 1 of the Mendocino Town Plan, the Maxwell-Jarvis House 1878.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45164 Little Lake St; APN: 119-160-08

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: STEVEN SWITZER

Review Board Member Aum recused and left the meeting room. He returned to the meeting at about 9:19 p.m.

PRESENTERS: Planner Switzer presented staff's recommendations. Mr. Sunny Chancellor, representing the applicant's agent, advocated for the proposed project.

PUBLIC COMMENT: None.

REVIEW BOARD DISCUSSION: Review Board Member Saunders expressed support for the project as proposed. Review Board Member Kappler asked whether there was information about the additions in the rear of the property? Staff responded that there was very little additional information available, including information about the date of construction. Vice Chair Madrigal mentioned photographs from the Sverko file, attached to the Staff Report. Chair Roth expressed his support for the project.

REVIEW BOARD ACTION: Review Board Member Kappler moved to the approve the project with the recommended findings and conditions. Review Board Member Saunders seconded his motion. The application was approved by voice vote 4-0 (with Review Board Member Aum recusing).

The Chair announced a 5-minute break and the meeting resumed about 9:13 p.m.

10. Matters from the Board.

10a. Report from Review Board Members:

Vice Chair Madrigal is interested in further streamlining MHRB Permits for signs. Inquired about date for acknowledging the 2022 Historic Preservation Awardees.

Chair Roth mentioned that on the March agenda and under Matters from the Board, Review Board Member Aum requested to discuss windows, signs, and paint.

Review Board Member Kappler no items to report.

Review Board Member Saunders no items to report.

Review Board Member Aum was not present during Item 10a.

11. Matters from the Staff.

11a. CASE#: BF_2022-0765

DATE FILED: 11/08/2022

OWNER: MARK & JANE GRAVEN

APPLICANT: MENDOCINO SOLAR SERVICE

REQUEST: To confer with MHRB regarding building permit application BF_2022-0765 and the installation of rooftop solar panels at a new single-family residence.

ENVIRONMENTAL DETERMINATION: Statutory Exemption

LOCATION: 45280 Covelo St, Mendocino; 119-160-38

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: TIA SAR

PRESENTERS: Planner Cherry presented the solar panel project on behalf of staff. Mr. Bruce Ericson spoke on behalf of the property owner.

PUBLIC COMMENT: None.

BOARD DISCUSSION: Review Board Member Saunders asked whether the adjoining property owner was notified. Review Board Member Kappler mentioned that the project would not alter an historic resource. Review Board Member Aum requested that the installer avoid running cables and conduit across the roof and over the eaves. Mr. Ericson stated the cables and conduit would be tucked under one of the panels and through the roof; he assured the Review Board that the cables would not be visible.

12. Adjournment 9:26 p.m.