

# 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 – December 5, 2022

## 2-3-2023 AMENDED DRAFT MINUTES

VIRTUAL MEETING (pursuant to state executive order N-29-20)  
Before the Mendocino Historical Review Board Fair Statement of  
Proceedings (Pursuant to California Government Code Section 25150)

DRAFT ACTION MINUTES – SPECIAL MEETING DECEMBER 5, 2022

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.

Draft minutes may be approved, possibly with clarifications, at the February 6, 2023 MHRB meeting.

### 1. Call to Order.

The Review Board convened at 1:04 p.m. for its scheduled special meeting.

### 2. Roll Call.

#### PRESENT:

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

Planning and Building Services Staff: Planner Cliser, Planner Waldman (presenting), Planner Switzer (presenting), Planner Crowley (presenting), Director Krog, and Commission Services Supervisor Larsen.

### 3. Mendocino Historical Review Board Administration

**3a. Discussion and Possible Action Including Adoption of Resolution of the Mendocino County Mendocino Historical Review Board Finding that State or Local Officials Continue to Recommend Measures to Promote Social Distancing in Connection with Public Meetings.**

**REVIEW BOARD ACTION:** Review Board Member Kappler moved to adopt the resolution and the motion was seconded by Review Board Member Saunders. The motion passed 4 to 1 (Aum).

**3b. Director's update on returning to the Mendocino Community Center for public meetings.**

**PRESENTATION** by Director Krog overviewed the Governor's Public Health Order and public hearings, the difference between special and regular meetings. She described staffing limitations and that it is not possible at the Community Center to accommodate a hybridized meeting format.

**REVIEW BOARD ACTION:** The Review Board requested to return to in-person meetings starting February 2023. The Review Board asked Staff to add to a future agenda discussion about special

meeting times.

**3c. Election of Chair and Vice Chair.**

**REVIEW BOARD ACTION:** Member Kappler moved to elect Ian Roth as Chair and Holly Madrigal as Vice Chair. The motion was seconded by Member Aum. The slate passed unanimously.

**4. Determination of Legal Notice.** The meeting was properly noticed.

**5. Approval of Minutes.**

**5a.** None

**6. Correspondence.** None

**7. Report from the Chair.**

The Chair noted recent animosity between some residents of Mendocino and reminded people to respect each other.

**8. Public Expression.** None

**9. Consent Calendar.** None

**10. Code Enforcement Town of Mendocino Activity Report**

None provided. Chair Roth requested a Code Enforcement Activity Report presentation at an upcoming meeting.

**11. Public Hearing Items**

**11a. CASE#:** MHRB\_2022-0002

**DATE FILED:** 6/23/22

**OWNER/APPLICANT/AGENT:** MACKENZIE SKYE & ROBERT SCHMITT

**REQUEST:** A Mendocino Historical Review Board Permit request to make exterior alterations at the existing property and third residential unit, including concrete landing at south deck, natural wood railings at north and south decks, relocate window on east elevation, install wood planters, relocate venting and material from mesh to copper painted “white”, “white” painted wood fencing at north yard, cobblestone and sand brick patio at north and south yards at existing “tower” building; and reduction in parking spaces from eight (8) to seven and a half (7.5) spaces, Six (6) “tenant parking only” signs have been removed off of rear yard fence in parking lot area, establish a driveway at Calpella Street, Painted white corbels between upper windows trim and upper fascia, and 5’x 8’ trash enclosure in rear of Tower building with 5’ height painted white fence install on a developed lot in the Mendocino Mixed Use District. Note: This location is listed in the Mendocino Town Plan Appendix 1 as a Category IIa Historic Structure.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 45020 Ukiah Street, Mendocino; APN: 119-234-11 (aka: 45045 Calpella Street).

**SUPERVISORIAL DISTRICT:** 5

**STAFF PLANNER:** JESSIE WALDMAN

**INTRODUCING ITEM 11A:** Chair Roth recused himself. Prior to introducing Item 11a, Vice Chair Kappler, acting as Chair, asked the members of the Review Board whether the matter should be continued to allow staff additional time to respond to the Review Board’s request and clarify Staff’s recommendations of November 2022. He mentioned that the Review Board’s November request to staff was not yet available for consideration. The Review Board discussed and agreed to hear Item 11a. Vice Chair Kappler requested skipping Staff’s presentation.

(Subsequently, it was found that staff prepared a memorandum dated December 5, 2022. The memorandum was posted to the MHRB Meeting page about 11:00 AM on the day of the meeting. In advance of the meeting, Staff did not email their revised recommendations to the Review Board.)

**PRESENTATION:** Robert Schmidt discussed specific project aspects, including the concrete landing and risers; natural woodgrain railings; lot coverage; and that Low-E windows were installed.

**REVIEW BOARD DISCUSSION (con't):** Vice Chair Kappler stated the December 5, 2022 Staff Memorandum was not available. Board Member Aum suggested discussing items presented during the site visit. Board Member Madrigal requested Planner Waldman share Staff's December 5, 2022 Memorandum. Board Member Kappler requested the Board hear public comments before continuing with discussion.

**PUBLIC COMMENT:** Tom (no last name stated) expressed concern about lot coverage and the importance of maintaining it. Kelly Grimes supports lot coverage and not exceeding it. Robert Schmidt (Applicant) stated lot coverage at the property does not exceed 25%. John Simonich expressed concern about tinted windows. Robert Schmidt responded that low-e windows are clear (and not tinted).

**REVIEW BOARD DISCUSSION (con't):** Board Member Madrigal moved to approve Staff's December 5, 2022 Memorandum items 1 through 12, as presented. Planner Waldman clarified that three project components were not included in the application and would otherwise need future Review Board approval. Board Member Madrigal then amended her motion to include items 1 – 12, as well as four metal signs, additional pervious landscaped areas, and additional compacted gravel areas (by reference items 1 – 3 in ITEMS NOT INCLUDED IN REQUEST section of staff's memorandum). Review Board Member Aum seconded the motion, as amended.

Vice Chair Kappler requested further discussion on items included in motion. He requested Planner Waldman explain the discrepancy in lot coverage. Staff explained the 30 x 40-foot structure, front porch, rear porch, stairs and concrete near the backyard porch contributed to lot coverage exceeding the district standard. Vice Chair Kappler asked the Applicant to respond. Robert Schmidt stated the November 2022 Staff Report was not accurate; he restated the area of several structures.

Vice Chair Kappler requested the Review Board discuss the windows, which appear tinted. Board Member Saunders, Aum, and Madrigal expressed support for energy efficient windows and stated clear windows are typical within the Historic District. Planner Cliser requested 5-minute break. Review Board reconvened at 2:35.

Vice Chair Kappler requested discussion about the concrete landing and natural wood planter boxes. Board Member Saunders requested discussion on signs. Board Members Aum, Saunders, and Kappler asked for clarification on items to be approved by the Review Board and Planner Cliser recommended this item be continued to the end of the meeting, at which point Staff could return with a recommendation reflecting the Review Board's discussion.

**11b. CASE#:** MHRB\_2022-0007

**DATE FILED:** 7/30/2021

**OWNER/APPLICANT:** DAN ROBINSON

**REQUEST:** Mendocino Historical Review Board Permit for after-the-fact driveway improvements with pervious gravel and repairs to an existing fence with a gate. In addition, install a 2500-Gallon water storage tank wrapped in wooden planks. Landscaping is proposed in several areas on the property as well as an occupancy change from commercial use to a residential use. Note: The site is listed as a Category IVa Non-historic resource in Appendix 1 of the Mendocino Town Plan, Welty Building.

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**LOCATION:** 45080 Little Lake St; APN: 119-160-34.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** STEVEN SWITZER

**PRESENTERS:** Planner Switzer presented the project.

**PUBLIC COMMENT:** Planner Switzer read public comments into record, including a phone call from a neighbor expressing concern about the material used for driveway improvements. J. Ham called in support of the project and property owners.

**REVIEW BOARD DISCUSSION:** Review Board Member Saunders stated his support for the project. Review Board Member Kappler questioned why the Review Board approval was required for driveway and Staff explained a previously approved MRHB permit sited the driveway in a different location. After-the-fact, Review Board approval is requested for the new driveway location.

**REVIEW BOARD ACTION:** A motion by Review Board Member Aum, and seconded by Review Board Member Madrigal, to approve the project with recommended findings and conditions passed with a 5 to 0 voice vote.

**11c. 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 project and clarified that the existing water tank is part of the project. The water tank would remain in its current location and clad in wood. Kelly Grimes (Agent) presented and noted condition #5 and #9 are not applicable and described roof plan.

**PUBLIC COMMENT:** John Simonich opposes the project. Jennifer Raymond (co-owner of property) stated the tower height would be significantly shorter and repairing the tower is cost prohibitive. The tower is unsafe. Judy Steele (property manager) said that prior to 1975 the property did not include a water tower.

**REVIEW BOARD DISCUSSION:** Chair Roth requested information about the history of the water tower. Planner Crowley responded that the water tower was moved from Mendoza Market to current site in 1975. Review Board Member Kappler voiced his opposition to the project, saying water towers are iconic and identified with the Town of Mendocino. Review Board Member Aum noted the wood is apt to rot and suggested an enclosed water tower. Review Board Member Madrigal expressed concern about losing a water tower. Review Board Member Saunders agreed with Madrigal and Aum, and opposed the project as presented. Review Board Member Kappler suggested repairing the water tower and requested allowing time for the applicant to consider an alternative design. Chair Roth agreed water towers are iconic features of Mendocino; he does not want to lose it but noted ADA accessibility is important. He also requested the applicant come back to the Review Board with a different design.

**REVIEW BOARD ACTION:** A motion by Vice Chair Kappler, and seconded by Saunders, to continue project to February 2023 passed 3 to 2.

**11a. CASE#: MHRB\_2022-0002 (continued from earlier)**

**PRESENTERS:** Planner Waldman suggested, based on the Review Board’s earlier discussion, that the conditions of approval numbered 1 – 6 be retained and the Review Board consider not adopting conditions numbered 7 – 18.

**REVIEW BOARD ACTION:** A motion by Review Board Member Madrigal, and seconded by Member Aum, to approve the project with revisions to the request, including approving additional pervious landscaped areas and compacted gravel areas, a change of window glass from “clear” glazing to Low-E windows as installed, and amendments to the recommended conditions by adopting recommended conditions 1 through 6 and not adopting recommended conditions 7 through 18. The motion was unanimously supported with Board Member Roth recusing.

**11d. CASE#: MHRB\_2022-0009**

**DATE FILED:** 9/28/2022

**OWNER:** RICHMOND & CAROL AGUILAR

**APPLICANT:** CAROL AGUILAR

**AGENT:** STEVEN MCGUCKIN

**REQUEST:** A Mendocino Historical Review Board Permit request to repair and replace existing concrete and wooden sidewalk. New curb and gutter to be installed adjacent to existing sidewalk along Main Street, from Woodward Street to Heeser Street. Install ramps for ADA accessibility. Pave existing driveway to gate; approximately 15 feet in length.

**ENVIRONMENTAL DETERMINATION:** Negative Declaration

**LOCATION:** 45300 Main Street, Mendocino; APN: 119-234-11.

**SUPERVISORIAL DISTRICT:** 5 (Williams)

**STAFF PLANNER:** JESSIE WALDMAN

**PRESENTERS:** Planner Waldman presented the project with revised plans. Steven McGuckin (agent) presented on behalf of the applicant.

**PUBLIC COMMENT:** None.

**REVIEW BOARD DISCUSSION:** Vice Chair Kappler and Review Board Member Saunders stated their support of the project. Board Member Madrigal and Chair Roth noted concrete should be avoided and permeable material preferred.

**REVIEW BOARD ACTION:** A motion by Review Board Madrigal, and seconded by Vice Chair Kappler, to approve the project passed with a 4 to 0 voice vote (Board Member Aum absent).

Board Member Aum left the meeting at 4:56pm. Review Board Member Madrigal left the meeting at 5:00pm. A quorum of three Review Board Members remained and the meeting continued.

**12. Matters from the Board.** None

**12. Matters from the Staff.**

Planner Cliser clarified that today's Review Board election would be reiterated again in April 2023. The next Review Board elections would be scheduled for April 2024. In the future, site visits will be scheduled on the same day as MHRB Meetings.

**12. Adjournment** 5:01 PM