

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 – NOVEMBER 4, 2019

Before the Mendocino Historical Review Board Fair Statement of Proceedings
(Pursuant to California Government Code Section 25150)

ACTION MINUTES – REGULAR MEETING November 4, 2019

These are action minutes. For a complete transcript of the meeting, please request a copy of the digital recording. Audio recording of this meeting is available at the Planning and Building Department upon request. There is a fee of \$10.00 per recording.

Adopted minutes were approved, with corrections, at the January 6, 2020 MHRB meeting.

1. Call to Order.

A site view was scheduled for 6:30 p.m.; however, no quorum was present therefore the site view did not occur. The Review Board convened at 7:00 p.m. for its regularly scheduled meeting.

2. Roll Call.

Present

Review Board Members: Kappler, Lamb, Roth, and Potash.

Planning and Building Services Staff: Director Schultz and Chief Planner Acker Krog.

3. Determination of Legal Notice.

Hearing was properly noticed.

4. Approval of Minutes.

None.

Chief Planner Acker Krog noted that minutes were still needed for the July, September and October meetings.

5. Correspondence.

Staff distributed a letter received from Kathleen Cameron related to the Categories for Historic structures within the Town discussing the importance of Category I Landmark Structures and the function of the Review Board in protecting these structures.

6. Report from the Chair.

The Chair did not provide a report other than the Chair requested reordering of the agenda, with the permission of the other Board Members, to discuss items 10a through 10c and 11a through 11c discussed prior to the Public Hearing Items on the agenda. The Board consented to the reordering of the discussion.



7. Public Expression.

Lee Edmundson apologized for distributing a handout at a previous meeting that contained out of date information and additionally commented on the need to correct the exemption from MHRB permitting for re-roofing within the Town.

Ed O'Brien requested that discussion of existing violations within the Town occur earlier in the meeting agenda.

Harold Hauck expressed concern about the fee increases for MHRB permits and suggested that Staff should compare the number of applications received when there was the previous fee structure to the number received under the new fee structure.

Matt Ohalloran expressed his appreciation and thanks to the Board members for their voluntary service to the community by being on the MHRB.

8. Consent Calendar.

Item 9b was moved to the Consent Calendar with the agreement of the Board, noting previous direction given to Staff to have permits for signs that clearly meet the requirements to be placed on the Consent Calendar.

9b. CASE #: MHRB_2019-0008

DATE FILED: 8/21/2019

OWNER/APPLICANT: MATTHEW MEYER

AGENT: THE SIGN SHOP

REQUEST: Mendocino Historical Review Board request to install a new carved redwood, double-faced, hanging sign from the beam where several previously approved signs have been located. The proposed sign would be 12 inches by 60 inches in size, with a dark brown stained background with white letters reading "Meyer Family Cellars."

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45156 Main St., Mendocino (APN: 119-237-13).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIA ACKER KROG

REVIEW BOARD ACTION: Upon motion by Board Member Roth, seconded by Board Member Kappler, and carried by a unanimous voice vote (4-0), the Consent Calendar was approved.

9. Public Hearing Items.

***9a. CASE #:** MHRB_2019-0005

DATE FILED: 6/6/2019

OWNER/APPLICANT: MENDOCINO HOTELS, LLC. & JAY DEVDHAR

AGENT: KELLY GRIMES

REQUEST: A Mendocino Historical Review Board Permit request to install a packaged terminal air conditioner (PTAC) exhaust grille in each sleeping unit which will be painted to match the existing wall, repair guardrails at porches or decks of various units and the handrails down the stairs with redwood and copper materials, install 2 or 3 accessible parking stalls with access aisles, signage, striping and truncated domes, and install a new path of travel from the proposed accessible parking stalls to the ADA accessible sleeping units that will match the existing aggregate concrete paths. Additionally, the applicant requests to replace windows with wood-framed dual pane glass windows where much of this request is exempt from review; however, some windows will be slightly changed in height if the PTAC units are approved. Note: This location is listed in the Mendocino Town Plan Appendix 1 as a Category I Historic Structure, the "Heeser House."

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45080 Albion St., Mendocino (APN: 119-236-01).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIA ACKER KROG



PRESENTERS: Chief Planner Acker Krog noted the lack of a site visit for the project and presented what the project request was.

Kelly Grimes, agent, discussed the project showing what was proposed on the plans prepared for the item. He showed the sample vent that was mounted on the side of the building as an example.

PUBLIC COMMENT: Oral comments were heard by the Review Board, including:

Karen McGrath commented that A/C units were used to condition air due to the moisture in our area. She noted that the louvers are architectural features that have been around for many years and an important part of air circulation.

Lee Edmundson expressed concern about how many of the units could be viewed from a public area and noted that only the Heeser house was historic and was more concerned about how the units would impact the Heeser house. He noted he did not see any significant adverse impact on the buildings by allowing these units.

Ed O'Brien noted that the Heeser house was the only historic structure and he felt that none should be allowed on the Heeser house.

Harold Hauck noted the need to preserve the historic character and appearance of the Category I structures in the town and cautioned against modifying a Category I house. He agreed with Ed O'Brien. He suggested the applicant look at other ways of handling air circulation.

REVIEW BOARD DISCUSSION:

Chair Potash asked if there were other structures in the Town that had a similar set up with the vents below the windows.

Staff noted that they were not aware of any existing in the Town at this time.

Board Member Lamb asked if this was the only possible option. She inquired why air conditioning was necessary.

Kelly Grimes responded that the hotel was trying to be competitive in the market and that folks that are not familiar with the area may exclude a hotel without an air conditioning unit from their search when looking for accommodations on the coast.

The Board discussed whether it was necessary or not to have air conditioning in the Town.

Board Member Kappler noted he didn't have concern with adding the PTAC units to the majority of the structures but did not find it appropriate for them to be added to the Heeser house.

Board Member Roth commented that a dehumidifier could be used instead of the PTAC units. He agreed with Board Member Kappler that the Heeser house should not be included and also expressed concern about the vents being visible to the public.

Board Member Lamb had concern about all the vents and was cautious about the Board approving them as it would set a precedence for other business owners to request these.

Chair Potash expressed similar concern to Board Member Lamb and that the materials are not appropriate for the historic district. He suggested they should be made of wood.

Board Member Roth asked if the Review Board had authority over noise.



Staff responded that the Review Board does not have authority over noise but noise is regulated by the Zoning Code.

Board Member Roth stated concern about noise generated from the units and how he enjoys the quiet streets in the Town.

Chair Potash asked if the Review Board supported the other items in the project request, outside of the PTAC units.

The Board agreed they were in support of all other requests of the project except the PTAC units.

There was back and forth discussion with the agent about if there are other options for the PTAC units than what was in front of the Review Board.

The Board Members discussed if any of the PTAC units should be approved.

REVIEW BOARD ACTION: Upon motion by Board Member Roth, seconded by Board Member Lamb, and carried by a unanimous voice vote (4-0), the project elements that do not relate to the PTAC units were approved (repair of guardrails and handrails, ADA parking stalls and ADA path of travel) and the PTAC units and change in window dimensions were denied.

9b. CASE #: MHRB_2019-0008

DATE FILED: 8/21/2019

OWNER/APPLICANT: MATTHEW MEYER

AGENT: THE SIGN SHOP

REQUEST: Mendocino Historical Review Board request to install a new carved redwood, double-faced, hanging sign from the beam where several previously approved signs have been located. The proposed sign would be 12 inches by 60 inches in size, with a dark brown stained background with white letters reading "Meyer Family Cellars."

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45156 Main St., Mendocino (APN: 119-237-13).

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIA ACKER KROG

Item 9b was moved to the Consent Calendar with the agreement of the Board, noting previous direction given to Staff to have permits for signs that clearly meet the requirements to be placed on the Consent Calendar.

9c. CASE#: MHRB_2019-0010

DATE FILED: 9/4/2019

OWNER/APPLICANT: KELLY AND MICHAEL BARRETT

AGENT: KELLY GRIMES

REQUEST: Mendocino Historical Review Board Permit request to restore the west, north, and east redwood shiplap siding on the house, install a copper weathervane, and restore the barn by (a) adding 120 SF; (b) installing wood window frames and wood doors; (c) restoring and reusing the barn's redwood boards, battens, and trim; (d) installing composition shingles and solar shingles; and painting the barn doors and window frames the same color as the house trim. Note: The site is designated as a Category IIa (Noia House) Historic Resource, meaning the construction date is known, the architecture may have been previously modified, and additional research is forthcoming.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 45141 Calpella St., Mendocino (APN: 119-232-03)

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: JULIA ACKER KROG

PRESENTERS: Chief Planner Acker Krog presented the item.



Kelly Grimes, agent, discussed the proposal and walked the Review Board through the project.

PUBLIC COMMENT: Oral comments were heard by the Review Board, including:

Ed O'Brien provided a clarification about the project and what had previously been contentious about the item.

Lee Edmundson asked if the solar shingles were shiny and noted previous actions done by the Review Board related to solar in the Town. He felt the example shown by Staff were glossy in appearance. He suggested a sample be obtained.

Arlo Reeves noted that plumbing was proposed in the structure and concern about a future Air BnB being allowed.

REVIEW BOARD DISCUSSION:

Board Member Roth inquired about when the dormer was approved and asked what was behind the dormer.

Kelly Grimes responded that the dormer was previously approved but hadn't been built yet and the permit was expired and that it was a bedroom behind the dormer.

Board Member Kappler asked about the solar shingles.

The Review Board expressed concern about the proposed solar shingles and wanted to see a sample of the shingles.

Kelly Grimes noted that the solar shingles would be on the southern side of the barn roof.

Chair Potash asked Staff how the current request differed from what was previously approved.

Chief Planner Acker Krog said that she couldn't say definitively but noted that Planner Juliana Cherry who prepared the staff report did note where some items were previously approved, such as paint color, but that we did have that information but just not available to the Review Board today.

Staff showed the Review Board and the Public an example of the solar shingles from the Tesla webpage.

Board Member Lamb noted that she would like to see a sample of the solar shingles.

Board Member Roth noted the desire for a story board related to the project.

The other Board Members responded that they have not required that before.

Board Member Roth agreed with Board Member Lamb on wanting to see a sample.

Board Member Kappler agreed with Board Members Roth and Lamb on seeing a sample.

Board Member Lamb commented that she was concerned about painting the barn any color.

The Review Board discussed with the agent their general support for the project but that they wanted to see a sample of the solar shingles.

Board Member Roth asked the agent to come back with a story board.



Chair Potash clarified the exterior color proposal for the various structures and that the barn would be a semi-transparent stain with only the window trim painted.

There was confusion amongst members on the proposed colors and a continuance was suggested.

REVIEW BOARD ACTION: Upon motion by Board Member Roth, seconded by Board Member Kappler, and carried by a unanimous voice vote (4-0), the project was continued to the December 2, 2019 agenda requesting the agent return with a story board and sample of roofing materials and that a site visit be performed.

10. Matters from the Board.

10a. Presentation by Debra Lennox about the Benjamin Moore website.

Debra Lennox did a presentation on the use of the Benjamin Moore website to the Review Board and the Public.

Debra Lennox responded to a couple questions from the Review Board and Public about how the website could be used with uploading a photograph of a structure.

Lee Edmundson inquired about how the exterior color memorandum works and specifically asked if it would allow someone to paint with three different colors.

Chief Planner Acker Krog read the draft exterior color memorandum to clarify what could be allowed within an MHRB permit.

Harold Hauck commented that he understood this was being done due to the high fee charged and that generally he supports the policy but felt that doing a policy would give up authority of the MHRB.

Chair Potash responded that he felt that the Review Board was not giving up authority as the MHRB has allowed white body color in every instance where it has been requested and that the purpose in this was to take out the delay in obtaining MHRB authorization for colors that they have historically supported.

10b. Expanded MHRB Membership

Chief Planner Acker Krog noted the previous letter that had been prepared by the Review Board members that talks about potential for expanded membership and placed copies at the back table for the public.

Board Member Roth noted that he would want to update the membership memorandum and submit that to the Board of Supervisors again.

Chair Potash noted what the memorandum contained in terms of suggestions to get more membership. The memorandum suggests expanding the membership geographically, with regards to expertise to sit on the Board, and removing term limits.

Lee Edmundson inquired about the area of the proposed geographic expansion and whether that was only to the Point of View estates. He also commented about what sort of expertise would be appropriate to be considered.

Kelly Grimes inquired if the Board thought about opening the membership up to business owners as well.



Harold Hauck noted that the decisions made by the Review Board impact the residents in Zone A and Zone B and expressed concern that if membership was expanded to folks that don't live in that area that it would subject residents to decisions made by people who are not subject to the same regulations. He also noted that maybe more outreach needed to be done to get the vacant seats filled. He suggested a sub-committee to be formed to have the community perform outreach to get more membership.

Ed O'Brien stated concern about including Point of View estates in the membership and noted that the key in being a good member is having an understanding of historic preservation. He echoed a similar sentiment to Mr. Hauck regarding decisions made by people who are not subject to the same regulations.

Noah Sheppard suggested the Board open up membership to business owners.

Lee Edmundson discussed that this same issue has been discussed for the last 25 years. He talked about the list of properties in the Town of Mendocino and noted there are 562 assessor parcel numbers and that only 117 properties exercise a homeowners exemption (meaning that they claim it as their primary residence). He discussed the need to continue building the mutual respect between Staff and the Board in order to keep this Board functioning. He cautioned against rushing into this.

Chair Potash asked if the Board wanted to set up a sub-committee to prepare revisions to the previously sent memorandum.

Ed O'Brien expressed concern about including business owners, specifically about corporate ownership and needing to research that more before the Review Board includes that.

Board Member Kappler noted that the previous memorandum was a good start but expressed interest in expanding membership to business owners and property owners in town. He did not feel that lack of publicity on the vacant seats was the issue but felt that a bigger pool of candidates is what is needed.

Board Member Roth suggested that maybe previous Review Board members could substitute for a current Member if they were unable to attend. He was not in favor of reserving a seat for someone with expertise. With regards to property owners, he felt that if someone wants to invest their time into doing the Review Board then they should be considered. He also expressed being in favor of allowing business owners. He also expressed some concern about the term limits and was questioning about why they were there. He also noted the very minimal vetting process on applicants that is currently in place and suggested that the Review Board review the applications that are submitted.

Board Member Lamb expressed concern with reviewing applications and felt that the review by the 5th District Supervisor was sufficient.

Chair Potash inquired with the Board members if they wanted to establish a sub-committee or just revise the letter to re-send.

The Board agreed to revise the letter to re-send and Board Member Roth agreed to work on the revision to the letter to bring back in December to the Review Board.

10c. Exterior colors memorandum

Chief Planner Acker Krog noted the revised draft policy in front of the Review Board but commented on her concern about allowing staff to make a determination of a complimentary color being used for doors and that decision being made by staff. She was concerned that



complimentary is a subjective choice and that Staff would approve something that the Review Board would not agree with.

Chair Potash asked if staff had a suggestion on how to resolve that.

Chief Planner Acker Krog responded that either the Review Board could consider a couple door colors that would be appropriate or that anything from the historical collection would be allowed.

Chair Potash agreed with staff's concern.

Board Member Lamb suggested maybe having door colors be the same as the trim.

The Review Board discussed the memorandum and debated about the extent of allowance for differing colors for doors and trim.

The Review Board agreed to limit the allowance for 2 colors and that the historical collection paints could be applied on the trim and doors but it must be the same color.

Board Member Kappler requested staff to re-work the statement in the Procedure section of the memorandum to provide a more clear procedure for this.

Staff agreed and will prepare a revised memorandum to present at the December meeting.

Lee Edmundson asked if this was an amendment of the Zoning Code and felt that it should be.

Chair Potash suggested that in the long-term they would like to make the amendment to the Zoning Code but at this time it would be a Director's policy.

Staff was given direction and will bring the revised memorandum back in December.

11. Matters from the Staff.

11a. Explanation of MCC Section 20.760.060(F)

Chief Planner Acker Krog discussed the code section noting that each time a revised application is submitted the time-frame listed re-starts.

No action was taken.

11b. How Recommendations are best delivered to the Board of Supervisors

Chief Planner Acker Krog discussed that recommendations are best delivered by either using your district Supervisor to help sponsor discussions at the Board of Supervisors level and additionally that any Board Member could appear during public expression at the Board of Supervisors meeting. She also noted that membership on MHRB is set by the Zoning Code and possibly a revision to that section could be done as part of a future Local Coastal Program Amendment update to the Town Plan and Zoning Code.

Director Schultz noted some of the challenges with the amendment process to the Local Coastal Program, the existing Board priorities and objectives, and limitations in terms of staffing.

No action was taken.

11c. Discussion on Tree Removal in the Town of Mendocino



Chief Planner Acker Krog noted that tree removal is governed by the Major Vegetation Removal definition whether there is a Coastal Development Permit required or not and discussed the section in the Historical Preservation chapter that regulates landscaping over 6 feet in height. She noted that an arborist report is required for all tree removal in the coastal zone, not just the Town of Mendocino. If a Coastal Development Permit was being processed for tree removal it would be referred to the Review Board for comments but that an MHRB permit is not required.

No action was taken.

11d. CASE#: U_2019-0018

DATE FILED: 7/19/2019

OWNER: JEFFREY & JUSTINE CORBETT

APPLICANT: FRANCES KANE

REQUEST: Use Permit to allow for retail sales of merchandise, art, alcohol and non-alcoholic beverages on the first floor. The second floor will be used as office and storage space for the proposed retail use.

LOCATION: In the Coastal Zone, within the Town of Mendocino, 0.06± miles east of Kasten Street (CR 407L) and Albion Street (CR 407D), located at 45055 Albion St., Mendocino (APN: 119-238-07).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: TIA SAR

Chief Planner Acker Krog described the project.

Board Member Kappler asked for confirmation that all signage would be reviewed by the Review Board.

Chief Planner Acker Krog confirmed that any proposed signage would be reviewed by MHRB.

The Review Board stated they have no comments on the proposed project.

11e. CASE#: U_2019-0022

DATE FILED: 9/24/2019

OWNER: MATTHEW R. MEYER

APPLICANT: MATTHEW R. MEYER

AGENT: REBECCA GOLDIE

REQUEST: Use Permit to allow for a wine and port tasting room in an existing wine and port retail sales shop.

LOCATION: In the Coastal Zone, in the Town of Mendocino, on Main Street (CR 407E), 280± feet west of its intersection with Kasten Street (CR 407L); located at 45156 Main St., Mendocino (APN: 119-237-13).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 5

STAFF PLANNER: SAM VANDEWATER

Chief Planner Acker Krog described the project.

The Review Board stated they have no comments on the proposed project.

12. Adjournment.

Meeting adjourned at 9:34 p.m.