

**MINUTES OF HISTORICAL ADVISORY BOARD
REGULAR MEETING OF THURSDAY, APRIL 6, 2006
COUNCIL CHAMBERS, CITY HALL
2263 SANTA CLARA AVENUE – 7:00 PM**

Chair Anderson called the meeting to order at 7:03 pm. Secretary Eliason called the roll.

MEMBERS PRESENT: Chair Anderson, Vice-Chair Miller, Board Members Iverson and Tilos.

MEMBERS ABSENT: Board member Lynch.

STAFF PRESENT: Secretary Eliason, Cathy Woodbury, Planning & Building Director, Emily Pudell, Planner II, Debbie Gremminger, Recording Secretary.

MINUTES:

M/S to continue the March 2, 2006 minutes to the May 4, 2006 meeting due to a lack of a quorum. 4-0-1.

Ayes: 4; Noes: 0; Absent: 1; Motion carries.

ACTION ITEMS:

None.

REPORTS:

1. Preliminary Restoration Review – Applicant: Dwane P. Jensen for Tony Wong - 500 Central Avenue. The applicants are seeking comments regarding the design for the proposed restoration of 500 Central Avenue. *(Item continued from 3-02-06 meeting).*

This item was continued from the March 2, 2006 meeting per the Board's request. The applicant has incorporated the Board's comments received at the March 2, 2006 meeting and has submitted a revised set of drawings for review. Staff is seeking comments from this Board to assist in the Design Review approval.

Chair Anderson opened the public hearing.

Chris Buckley, Alameda Architectural Preservation Society (AAPS), submitted their comments in a letter which was distributed to the Board.

There were no more speaker slips. Chair Anderson closed the public hearing and opened the floor to Board discussion.

Board member Tilos is in favor of the new design.

Chair Anderson is in favor of staff's conditions of approval noted in the staff report. Additionally, she would like an investigation of the rear addition, and would like staff to require the applicant to apply for a lot line adjustment. She does not agree that the windscreen on the side elevation is original as AAPS has suggested; therefore it should not be a condition of approval.

Vice-Chair Miller would like to incorporate AAPS recommendations with the comments made by the Board tonight, with the exception of the windscreen.

Board member Iverson agreed that the windscreen was not original and is not necessary.

2. Review and Comment on Proposed Revisions to the Historical Preservation Ordinance.
(*Continued from the March 2, 2006 meeting*).

Staff has made several revisions to various sections of the Historical Preservation Ordinance. Staff would like the Board to review the proposed revisions, and submit comments. Staff will then incorporate the comments made by the Board and from the public and bring this item back for final review and recommendation to the City Council.

Definition of Demolition:

Staff proposes that the definition of demolition be easier for property owners and staff to calculate and should be equal to all properties.

The Board did not have any comments regarding this section.

Protected Trees:

Ms. Eliason stated that staff is proposing stricter penalties for the unauthorized demolitions of protected trees.

Chair Anderson stated that a landscape plan should only be required when replacement trees are located on the property. She would also like the ordinance to be clear that the applicant is responsible for the payment of the arborist.

Ms. Woodbury stated that staff will revise the language to read that when only one tree is being replaced, the applicant may submit a site plan in lieu of the landscape plan.

In response to Vice-Chair Miller question regarding the fine for unauthorized removal of a protected tree, Ms. Eliason responded staff is proposing that the fine be equal to twice the

appraised value of the original tree which will be determined by the Planning and Building Director.

The Board had no further comments.

Historic Signs:

Ms. Eliason reviewed the proposed revisions to the Historic Signs and designation process.

The Board did not have any comments regarding this section.

New Application Process:

Ms. Eliason reviewed the proposed revisions to New Application Process. To prevent further unauthorized demolitions, the requirements for Certificate of Approvals should be very clear.

Chair Anderson stated that section (a) should be revised. A structural report can only be prepared by a structural engineer, not an architect. Staff concurred and will make the revision.

The Board had no further comments.

Penalties:

Ms Eliason reviewed the proposed revisions to the Penalties section. She informed the Board that the revisions to this section are important due to the recent problem of several unauthorized demolition of listed buildings and buildings built prior to 1942. The present ordinance only provides one remedy for each situation. For properties listed on the Historic Building Study List, unauthorized demolition is subject to a five (5) year stay in the issuance of any building permit or construction-related permit for any new construction at the site previously occupied by the historic resource. For pre-1942 unauthorized demolitions, the applicable penalty reads: "Any violation of this section or failure to comply with a condition of approval of any certificate of approval or permit issued pursuant to this section constitutes a violation of the Alameda Municipal Code." This inflexibility regarding penalties provides no administrative relief nor does it allow for extenuating circumstances regarding individual situations.

Staff has proposed new language that provides additional flexibility for handling demolitions of Historical Monuments, structures on the Historical Building Study List and Pre-1942 dwellings, as well as Protected Trees. The proposed revision strengthens the overall penalty from \$250.00 to \$500.00 under the Alameda Municipal Code. It retains the potential of an up to 5-year moratorium on development also allows for the requirement to reconstruct, as determined appropriate by the Historical Advisory Board. The Pre-1942 provisions have been clarified to first determine if the property should have been on the Historical Building Study List.

Vice-Chair Miller would like the penalties to be very clear that it is not ok to demolish historical structures. He would like Alameda to set the standard for strict penalties. He would like staff to consult with the City Attorney's office regarding charging as a misdemeanor offense.

Chair Anderson would like to see guidelines within the Ordinance stating who is responsible for overseeing that the property is maintained in the event of the five year moratorium.

Board member Iverson inquired if the monetary penalties could be assessed periodically though non-compliance, possibly on a quarterly basis. Board member Iverson also would like to see an additional penalty imposed if the property is sold within a certain amount of time after the illegal demolition.

The Board had no further comments.

Appeals and Call for Review:

Staff has proposed the standard language used for all Boards regarding Appeals and Call for Review.

The Board did not have any comments regarding this section.

Chair Anderson opened the public hearing.

Rosemary McNally, 2145 San Antonio, would like to see very strict penalties for unauthorized demolitions.

Dick Rutter, 2205 Clinton Avenue, stated that the entire structure should be considered in the demolition process, not only the front façade. He stated that the fine should start at \$10,000.

Denise Brady, president of AAPS, stated the current ordinance does not give enough penalty options. She also feels the \$500.00 penalty is too low. She would like to see the contractors who are doing the unauthorized demolitions be penalized as well as the homeowners.

Chris Buckley, AAPS, reviewed the comments submitted in a letter from AAPS. He would like more time to consider all of the different options and scenarios which might occur. He would like the HAB to have more authority over the proposed design and construction plans. On tree provisions, with regards to trees, the International arborist formula is appropriate.

Chuck Millar, 2829 San Jose, read the letter to the Board from Birgitt Evans. He stated that the fine should be based on the degree of the offense and be high enough to prevent any further unauthorized demolitions

Scott Brady, former president of the HAB, spoke on the background of the revisions that were adopted in 2002. He stated that the Board was rushed to make a recommendation, as staff wanted to take both the Zoning Ordinance revisions made by the Planning Board and the

revisions to the Historical Preservation Ordinance to the Council at the same time. He supports the recommendations made by AAPS. There should be various scales of penalties. He concurs with Denise Brady's comment to penalize the contractor. Item 3 under new application process, issuance should lie with the general contractor's role, not the architect.

Elizabeth Krase, 2520 Chester St, would like to see stricter penalties. She stated that a \$500.00 fine will not be very effective.

There were no more speaker slips. Chair Anderson closed the public hearing. The floor was opened again for additional Board comments.

Chair Anderson would like this item to be continued to allow further discussion and to give the Board more time to review. She would also like staff to provide the entire ordinance rather than just the revised pieces.

Chair Anderson requested that a review of the Historical Building Study List be on a future agenda.

M/S to continue this item to a future meeting for further discussion. 4-0-1.

Ayes: 4; Noes: 0; Absent: 1; Motion carries.

3. Discussion and recommendation to City Council regarding support for National Historic Preservation Month.

Ms. Woodbury informed the Board that each year the National Trust for Historic Preservation promotes preservation efforts across the country by designating May as National Preservation Month. Thousands of communities showcase their unique historic buildings and landscapes and honor their local heritage through a variety of activities that increase the public's awareness and appreciation of protecting the nation's rich history.

National Preservation Month provides an excellent opportunity to celebrate historic preservation in Alameda. Staff has provided several activities suggested by The National Trust to celebrate National Preservation Month.

Staff recommends that the Historical Advisory Board recommend that the City Council proclaim May 2006 as National Preservation Month at the May 2, 2006 City Council meeting.

Chair Anderson has agreed to attend the City Council meeting to accept the proclamation.

Chair Anderson opened the public hearing.

Chris Buckley, AAPS, would like to thank Ms Woodbury for her efforts in getting the Council to issue this proclamation. He also stated that the Alameda Architectural Preservation Society (AAPS) currently sponsors several of the different activities suggested in the staff memo. On

June 4, 2006 AAPS will be giving out preservation awards. He stated the more publicity the better.

M/S to recommend to the City Council to proclaim May 2006 as National Preservation month.
4-0-1.

Ayes: 4; Noes: 0; Absent: 1; Motion carries.

WRITTEN COMMUNICATIONS: (Discussion only)

Correspondence addressed to Rick Jones, PM Realty Group, from Leslie Little, Development Services Director, clarifying the process regarding proposed exterior alterations to buildings within the Naval Air Station Alameda Historic District at Alameda Point.

ORAL COMMUNICATIONS:

None.

STAFF COMMUNICATION:

None.

The meeting was adjourned at 8:47 p.m.

Respectfully Submitted by:

Cynthia Eliason,
Supervising Planner.

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