



Mariposa County

The Planning Department
<http://www.mariposacounty.org/>



JEANETTA PHILLIPS
KATHLEEN LEAVITT
JACOB HAWLEY
LETHA GOGER
JAZZMYN GEGERE
CLAY RIVER

CHAIR
COMMISSIONER
VICE-CHAIR
COMMISSIONER
COMMISSIONER
COMMISSIONER

HISTORIC SITES AND RECORDS PRESERVATION COMMISSION ACTION SUMMARY MINUTES JUNE 12, 2023

1. Call to Order and Roll Call

Seeing a quorum, the regular meeting of the Historic Sites and Records Preservation Commission was called to order at 10:00 a.m. by Chair Phillips.

Present: Jeanetta Phillips, Jacob Hawley, Kathleen Leavitt, Letha Goger, Jazzmyn Gegere, Clay River
Staff: Steve Engfer, Polina Pivak

2. Approval of Minutes

a. Meeting of December 12, 2022

By a unanimous vote, the commission approved the motion of River, with a second by Hawley, to approve the minutes of the December 12, 2022, meeting.

Note: River was present as a member of the public. Kathleen Leavitt, Letha Goger, and Jazzmyn Gegere cannot vote on the December 12, 2022 minutes, because they were not present.

b. Meeting of February 13, 2023

By a unanimous vote, the commission approved the motion of Leavitt, with a second by Hawley, to approve the minutes of the February 13, 2023, meeting.

Note: Letha Goger was present as a member of the public. Clay River and Jazzmyn Gegere cannot vote on the minutes of February 13, 2023, because they were not present.

3. Public Comment on Non-Agenda Items

4. Review and Recommend for Action

- a. **Historic Design Review Application No. 2023-051:** Recommendation to the Planning Director on new signage located at 5024 Highway 140, Suite B (APN 013-183-010); Brian Hill, applicant.

Pivak gave a presentation.

Phillips opened discussion.

The commission deliberated about the proposed black background color and epoxy coating material of the signs.

By a unanimous vote, the Commission approved the motion by Hawley and second by Goger, to recommend that the Planning Director approve the project as proposed.

- b. **Historic Design Review Application No. 2023-065:** Recommendation to the Planning Director on new signage and lighting located at 4998 5th St (APN 013-183-007); Derek Heule, applicant.

Pivak gave a presentation.

A member of the public, Charles Phillips, commented that approving the proposed signage along the roofline would set a dangerous precedent.

Hawley and Goger explained that the signage does not extend above the peak of the roof. Pivak clarified that the sign is only eight (8) inches tall.

Leavitt agreed with Charles Phillips, however, believes that approving this project is defensible, because the sign is not prominent, given the two-story building next door, and the short height of the letters.

By a unanimous vote, the Commission approved the motion by Hawley and second by Leavitt, to recommend that the Planning Director approve the project as proposed.

- c. **Historic Design Review Application No. 2023-066:** Recommendation to the Planning Director on a re-roof, re-side, and landscaping located at 5041 Stroming Rd (APN 013-130-043); Cory Haas, applicant.

Pivak gave a presentation.

Phillips asked if the windows will be replaced with vinyl. Pivak clarified that the windows are not proposed to be replaced.

Leavitt asked if the garage and front door are to be replaced. Pivak was not certain, but it was not part of the project proposal.

Leavitt asked whether the proposed roof matches the existing roof color. Pivak clarified that it is difficult to determine, due to the condition of the existing roof, but the proposed color is a close match.

A member of the public asked whether the project is in a flood zone. Pivak clarified that any concerns about the location of the project within a flood zone would be handled at the building permit stage.

By a unanimous vote, the Commission approved the motion by Goger and second by Leavitt, to recommend that the Planning Director approve the project as proposed, with a condition that the garage and front door align with the

historic design review guidelines if they are to be replaced.

- d. **Historic Design Review Application No. 2023-067:** Recommendation to the Planning Director on new signage located at 5037 Highway 140 (APN 013-182-003); Kevin Bever, applicant.

Pivak gave a presentation.

Hawley did not approve of the project with the proposed size and neon.

Engfer clarified that the project proposes an internally lit cabinet sign, not neon.

Leavitt asked if it would be possible to maintain the existing wooden sign with digital gas prices displayed below.

Phillips recommended that the applicant should revise their proposal to more closely align with historic guidelines and return to the Commission.

Leavitt asked if the applicant utilized natural materials, would the Commission approve digital signage? Hawley answered that he would not approve, because he believes it would detract from the historic downtown.

A member of the public, Heather Bernekoff, asked what other jurisdictions have applied in their historic districts for gas stations. Phillips stated that this has been researched in the past.

Goger stated that the project does not align with the existing historical guidelines as written currently, but the guidelines could potentially be amended in the future to accommodate the developments of lighting technology in the last 10 years.

Engfer stated that staff can work with the applicant to consider other options that meet code and return to the commission with a new proposal.

Phillips agreed with Engfer.

The applicant, Kevin Bever, representing Sign Guys, commented that the intensity of the internally lit sign can be adjusted and that LED is considered the norm and a benefit for commercial development. Bever stated that it has been difficult to manually change the gas prices during inclement weather. Bever stated that the proposal could be revised to utilize natural materials and reduce the size.

Hawley asked what type of lighting is used within the sign. Bever explained that typically white LED backlighting with opaque graphics is used and that LED lighting is preferred due to its longevity.

Goger asked if letters are cut individually. Bever explained that the gas prices are digital and the rest of the sign is backlit.

Leavitt stated that although the applicant makes a good argument, the Commission is charged with protecting the historic district and the charge is a balancing act between supporting development and preservation. Leavitt said that it sounds like the applicant has some flexibility, therefore there should be a middle-ground for the proposal.

Engfer reiterated that staff is happy to work with the applicant. Phillips asked if they should make a motion. Engfer affirmed.

By a unanimous vote, the Commission approved a motion by Leavitt and second by Goger, to recommend that the Planning Director deny the project as proposed, with a recommendation that the applicant revisit their proposal to align better within the historic district and return to the Commission for another review.

- e. **Amended Conditions Application No. 2023-069:** Recommendation to the Planning Director regarding the revised plan set for the exterior remodel associated with Historic Design Review Application No. 2020-139, located at 5040 Highway 140 (APN 013-181-015); Floyd Davis, applicant.

Pivak gave a presentation.

Phillips asked if the applicant still plans to open a new hotel within the subject structure. Pivak said the applicant no longer plans to operate the hotel, but that the proposed retail use is permitted within the General Commercial Zone. Phillips asked what the applicant's plans are for the signage. Pivak pointed out the units that will be changed by the change in use and deferred to the applicant for confirmation.

The applicant, Floyd Davis, stated that the property owner is still unsure about their plans for the potential hotel. The applicant is moving forward with engineering structural improvements to meet building code for a hotel remodel, but is unsure about its viability and may decide to create commercial rental units. If any part of the proposal changes, the applicant intends to return to the Commission for review.

Pivak clarified that the Commission could recommend a condition that any changes to the signage could be reviewed at the building permit stage to meet all code obligations.

Phillips asked for clarification about the origin of the chosen colors. Pivak clarified that most of the colors are from the Kelly-Moore "Lifestyles of the West" color booklet and that two of the colors are from the previous approval.

The property owner, Michael Houlihan, stated that the goal is to finish the exterior so that the Commission can be proud of the result.

Engfer reiterated Pivak's recommendation and stated that staff would review the signs on a case-by-case basis for any new retail businesses if the applicant decides to create commercial rental units instead. Additionally, staff would verify that any mechanical equipment is sufficiently screened.

Leavitt verified the proposed changes. Leavitt asked about the originally proposed faux stone wall on the north side of the structure and the newly proposed material. Pivak confirmed the new proposal and deferred to the applicant for the material type. Davis stated that the wall will be stucco, which is what is existing. Davis elaborated on the reasons for the proposed changes.

A member of the public, Charles Phillips, stated that he likes that the applicant is adhering to the historic color palette, and expressed concerns about new retail signs not complying with the historic color palette. Davis reiterated that the applicant will comply with the approved color palette.

By a unanimous vote, the Commission approved a motion by Hawley and second by Leavitt, to recommend

that the Planning Director approve the project as proposed.

- f. **Historic Design Review Application No. 2023-070:** Recommendation to the Planning Director on new signage located at 5009 Highway 140 (APN 013-188-010); Mariposa Arts Council, applicant.

Pivak gave a presentation.

Phillips asked if the proposed vinyl material for the lettering is within the historic guidelines. Pivak said no, but the rest of the sign will be made with natural materials, which meets the historic guidelines.

Engfer asked for public comment.

A member of the public, Charles Phillips, stated that the vinyl lettering will attract more UV light and degrade the wood faster over time.

Hawley stated that the sign will be in the shade.

By a unanimous vote, the Commission approved a motion by Hawley and second by Leavitt, to recommend that the Planning Director approve the project as proposed.

River recused themselves from the vote due to a conflict of interest.

- g. **Historic Design Review Application No. 2023-075:** Recommendation to the Planning Director on exterior renovations to an existing structure located at 5065 Bullion St (APN 013-143-002); Robert Moffit, applicant.

Pivak gave a presentation.

Hawley asked about whether staff's recommendation to approve the project with a condition to screen the mechanical equipment was normal. Pivak stated that this condition is normal, but is called out in this discussion, because of where the applicant proposes to relocate the mechanical equipment.

Leavitt asked for clarification of the proposed location of the mechanical equipment. Pivak stated that the equipment will be located in between the two structures and could be conditioned to be screened or painted to match the garage.

Leavitt liked that the applicant proposed to reside the main house. Leavitt asked if the applicant plans to install fake mullions within the vinyl windows. The applicant said no.

Leavitt recommended that the applicant use brown for the roof shingles if the applicant plans to install brown vinyl windows.

The applicant, Bob Moffit, asked about the timeline of the project approval and when the colors are expected to be finalized.

Engfer explained the approval process and that any recommendation made by the Commission would be verified at the building permit stage.

Phillips stated that the proposed vinyl material for the windows is up for discussion and that the Commission should potentially discuss the proposed roof color.

Leavitt stated that since the proposed structure is a non-contributing historic structure, Leavitt could approve the proposed vinyl windows provided they are a dark color and do not have fake divided lights.

Hawley agreed with Leavitt and asked if both the brown and the green would meet the obligations of the historic district. Pivak affirmed.

The applicant clarified that the green shown in the picture is not accurate and the proposed roofing color will be more muted.

By a unanimous vote, the Commission approved a motion by Goger and second by Hawley, to recommend that the Planning Director approve the project as proposed, with a condition that the windows be brown.

5. Discussion and Possible Action

a. General Update/Review of the Mariposa County Committee Policy, HSRPC Orientation and Purpose Review; and Changes to the Clerk of the Board Agenda System by Steve Engfer, Planning Director

Engfer and Danielle Bondshu, Clerk of the Board, gave a presentation.

Staff passed out references on the Brown Act and Rosenberg's Rules of Order.

Engfer indicated that there would be more of an orientation on Commission guidelines and policies at the next meeting.

Bondshu explained the process for filling vacancies and increasing Commission membership.

b. Discussion and Action to Adopt HSRPC Work Plan for Future Recommendation to the Board of Supervisors

River asked if permission can be given to seek funding for updating the guidelines. Pivak pointed out the existing task in one of the objectives of the work plan.

Engfer explained the background and summary of the work plan. Engfer explained that the work plan is intended to be a strategy. The Board of Supervisors will provide official direction. The Commission will iron out the exact tasks.

Phillips recommended that the Commission review the work plan and make notes to discuss at the next Commission meeting.

Goger recommended creating a Gantt Chart or "Order of Operations" for the work plan. Engfer stated this can be cemented later and this work plan is not the final detailed plan for each objective.

Pivak stated that she will send out the revised work plan document and directed the Commission to review the document and prepare recommendations for the next meeting.

c. **Discussion and Action to Adopt Updated By-Laws**

Pivak explained the the process of adoption and purpose of the by-laws.

Phillips tabled the approval of the by-laws for the next meeting.

Pivak clarified the changes made to the Board of Supervisors by-laws template.

d. **Discussion and Action to Adopt 2022 Annual Report of Commission Activity**

Pivak stated that the Board of Supervisors is no longer accepting reports but the Commission may approve the report for consideration with the 2023 annual report.

By a unanimous vote, the Commission approved a motion by Leavitt and second by Hawley, to adopt the 2022 Annual Report of Commission Activity for approval by the Board of Supervisors.

6. Future Agenda Items

Pivak stated that the draft work plan and draft by-laws will be on the next agenda for discussion and action. There will also be a discussion on Commission membership and the purpose, charge, and policies guiding the Commission.

7. Adjournment

There being no further business, Phillips adjourned the meeting at 12:11 p.m.

Respectfully submitted,

Polina Pivak
Planner II