



**Planning Commission
Staff Report**

November 13, 2013
Item 6.c.

- SUBJECT:** P13-2446, P13-2447, and P13-2448
- APPLICANT:** City of Pleasanton
- PROPERTY OWNER:** Various
- PURPOSE:** Consider amendments to the General Plan, Downtown Specific Plan, Downtown Design Guidelines, and Municipal Code relating to historic preservation, residential design, story pole requirements, and demolition by neglect within the Downtown Specific Plan Area.
- GENERAL PLAN/
ZONING:** Various
- LOCATION:** Downtown Specific Plan Area
- EXHIBITS:**
- A. [Draft Amendments to the Downtown Specific Plan](#)
 - B. [Draft Amendments to the Downtown Design Guidelines](#)
 - C. [Draft Amendments to the Pleasanton Municipal Code](#)
 - D. [Draft Amendments to the General Plan](#)
 - E. [City Council Check-In Report dated June 4, 2013, without Attachments](#)
 - F. [Minutes of the June 4, 2013, City Council Meeting](#)
 - G. [Pleasanton Downtown Historic Context Statement](#)
 - H. [Process Flow Charts](#)
 - I. [Garage Location Figures](#)
 - J. [Public Comments](#)
 - K. [Location and Public Noticing Map](#)

I. BACKGROUND

On May 3, 2011, the City Council adopted the Planning Commission’s recommendation to re-evaluate the Downtown historic preservation policies, guidelines, and processes as a Council priority. At the October 18, 2011, City Council meeting, the Council approved the creation of the ad hoc Historic Preservation Task Force, to be comprised of seven members: two Planning

Commissioners and five at-large Pleasanton residents. At its October 26, 2011, meeting, the Planning Commission designated Commissioners Phil Blank and Jennifer Pearce to participate on the Task Force. The Pleasanton residents were selected through the City's normal application and selection process, whereby the Mayor and each Councilmember made one selection to the Task Force. On December 6, 2011, the City Council confirmed the appointments to the seven-member Historic Preservation Task Force consisting of:

1. Planning Commission members (2 members):
 - Jennifer Pearce
 - Phil Blank¹
2. At-large members (5 members):
 - Emilie Cruzan
 - Linda Garbarino
 - Gerald Hodnefield
 - Paul Martin
 - Bonnie Krichbaum

The focus of the Historic Preservation Task Force was to review current City Policies and processes to determine if they:

- a) Provide adequate protection of historic resources, and
- b) Allow for an efficient and clear process for projects involving historic preservation issues.

The Task Force met twelve times since February 2012. The following are some of the items that were accomplished before making their final recommendations:

- Reviewed and discussed the existing Specific Plan, Guidelines, Policies, procedures, and supporting documentation.
- Reviewed other applicable regulations and guidelines such as the California Environmental Quality Act and the Secretary of the Interior's Standards for Historic Preservation.
- Reviewed other Cities' approaches to Historic Preservation.
- Reviewed the Mills Act and program requirements.
- Obtained professional consulting services and had a local Historic Context Statement prepared.
- Conducted a public survey of the concepts and topics the Task Force was focusing on.
- Hosted a public workshop to receive comments and to provide information.
- Created a subcommittee and completed four public outreach meetings.

Meeting summaries of the 12 Task Force meetings are available online at the City's website (<http://www.cityofpleasantonca.gov/business/planning/DH/HPmeeting.html>) or upon request at the Planning Division.

¹ Phil Blank's term as a Planning Commissioner ended on June 12, 2013. At the July 16, 2013, City Council meeting, the Council retained Phil Blank as a member of the Task Force until its conclusion.

Adjustment to the Task Force's Position on Commercial Properties

The City's existing historic preservation policies do not differentiate between and apply equally to residential and commercial properties/structures. The Task Force had initially contemplated changes to the existing historic preservation policies that would apply to both residential and commercial properties/structures in the Downtown. Based on overwhelming response by the Downtown commercial property owners to not include their properties in a historic district or be part of any new regulations, the Task Force reconsidered its position and excluded commercially zoned properties for consideration as part of the contemplated changes. This Task Force position was provided to the City Council on June 4, 2013, when it updated the Council on its work to date (discussed in the following section).

City Council Check-In

On June 4, 2013, the Task Force updated the City Council on the results of their work since forming and requested direction on specific items the Task Force was considering. The attached City Council staff report (Exhibit E) provides detailed information on each item. The City Council provided the following direction at the meeting:

1. Should a local district be created?

The Council did not support creating a local district. The Task Force's recommendation does not include the creation of a local district.

2. Should local standards be created?

The Council was generally not supportive of creating local standards, although some Councilmembers wanted more information before making a final decision. Cognizant of the Council's response, the Task Force is not recommending that local standards be created other than setting a cutoff date (1942) and utilizing the Historic Context Statement to help determine whether a residential structure is eligible for listing in the California Register and considered a historic structure. Essentially, if a residential structure built before 1942 provided sufficient components of one of the property types listed in the Historic Context Statement (e.g., Craftsman, Queen Anne, etc.) and the structure retained its integrity (i.e., it had not been altered such that its character-defining features have been removed or destroyed), then it would be considered a historic resource.

3. Should a definition of demolition be created?

The Council agreed with the Task Force that a demolition definition was needed and generally preferred the section definition presented in the Council staff report or a similar definition which reduces the need for judgment on the part of the City to determine what is demolition. The Task Force is recommending that the second definition be utilized with some added clarification.

4. *Should Design Review authority apply to the first floor of single-family homes?*

The Council did not support a change to require Design Review for modifications to the first floor (i.e., 10 ft. or below in height) of single-family homes and the Task Force's draft amendments do not include this requirement. However, the Task Force does support further discussion of this issue in the future.

5. *Should the existing historic preservation and design policies and guidelines be clarified in the Downtown Specific Plan and Downtown Design Guidelines?*

The Council agreed that the documents should be clarified to be clear and consistent. The Task Force's recommendation includes changes to make the documents clear and consistent.

6. *Should process flow charts be created to help inform applicants of the various steps and decision points that are involved?*

The Council agreed that process flow charts be created and the Task Force supported the flow charts provided by staff (Exhibit H). The flow charts will be integrated into a new public informational guide explaining the City's historic preservation policies and regulations, submittal requirements, and processes. The informational guide will be completed by staff after the Council takes action on the proposed draft amendments.

7. *Should a comprehensive resource survey be completed?*

The Council supported completing a professional comprehensive resource survey of the older structures Downtown to determine which structures are considered historic resources. Because the criteria to analyze whether a structure is historic or not first need to be determined (i.e., whether to continue to rely on the State's criteria or create a local standard for residential resources such as proposed by the Task Force), the survey will be conducted after the Council takes action on the proposed draft amendments.

8. *Should a Mills Act Program be implemented?*

The Council did not support implementing a Mills Act Program and the Task Force's draft amendments do not include a provision to implement such a program.

9. *Other direction provided by the City Council*

Councilmember Brown had mentioned her desire to see the use of story poles with any expansion of home Downtown subject to Design Review and to ensure that there are policies in place to prevent older homes from being demolished by neglect. These items are addressed in the Task Force's recommendations.

Additional comments made by the Council as well as public comments are located in the attached meeting minutes (Exhibit F).

II. PROJECT DESCRIPTION

Based on the direction it received from the City Council check-in and public feedback received at the various public meetings, the Task Force developed and is recommending amendments to the General Plan, Downtown Specific Plan, Downtown Design Guidelines, and Pleasanton Municipal Code to modify the existing Downtown historic preservation policies and design guidelines, implement story pole requirements, and address demolition by neglect for single-family homes. All of the amendments would be limited to the Downtown Specific Plan Area. Highlights of the proposed amendments are described below.

Downtown Specific Plan Amendments

Local Standards of Significance

One of the key decisions the Task Force had to make was selecting the criteria to use to determine whether a residential structure is considered a historic resource and subject to additional protection from demolition. The current Specific Plan policies only protect historic properties from demolition if the structures are eligible for the California Register of Historic Resources, a relatively high bar. The Task Force felt that the existing policies allow or could potentially allow too many older homes to be demolished.

The Historic Context Statement prepared for the Task Force identifies primary themes in the history of Pleasanton and connects those themes to the built environment by identifying property types associated with each theme. The Task Force recommends requiring and using the Context Statement as a resource when determining whether a structure is eligible for listing in the California Register. Using the Context Statement would essentially provide protection from demolition any structure that provided sufficient components of one of the property types identified in the Context Statement (e.g., Craftsman, Queen Anne, etc.), provided that it retained its historical integrity (i.e., it had not been altered such that its character-defining features have been removed or destroyed).

Important to any decision on local standards is the time frame through which individual properties are determined to be historic resources. While the State standards use a rolling 50-years or older time period, the Task Force wanted to set a specific date before which buildings would be considered a historic resource if they matched one of the property types identified in the Context Statement and retained their integrity. The Task Force selected 1942 as it felt that no structures of historical or architectural significance were built in Pleasanton during or after the US involvement in World War II. Since peoples' perception of architectural significance can change over time, the Task Force included a clause that the 1942 date be revisited every 10 years to see if a change is warranted.

Below is the Task Force's recommended new historic preservation policy:

If a residential building built before 1942 is determined using the "Pleasanton Downtown Historic Context Statement" to be eligible for listing in the California Register, then it is considered a historic resource by the City. The 1942 date shall be revisited every 10 years to determine if a change is warranted.

Demolition Policy

A new policy was added to prevent the demolition of residential building determined to be a historic resource (as defined in the section above) unless such building is determined by the Chief Building Official to be unsafe or dangerous, and if no other reasonable means of rehabilitation or relocation can be achieved. Because the City does not have a definition of what exactly constitutes a demolition, a demolition definition is included in the new policy. The residential demolition definition has been refined since the Council check-in to address the case where a portion of a building that was required to be saved was later determined to be unusable (e.g., due to dry rot, termite damage, etc.). In such a case, the unusable portion could be removed and reconstructed provided the new exterior construction matched the original.

Below is the Task Force's recommended residential demolition policy and demolition definition:

Prohibit the demolition* of any residential building found to be a historic resource unless such building is determined by the Chief Building Official to be unsafe or dangerous, and if no other reasonable means of rehabilitation or relocation can be achieved. A 45-day public notification period shall be implemented for buildings proposed to be demolished which do not pose an immediate safety hazard in order to assess alternatives and give the public an opportunity to make proposals for rehabilitation or relocation.

*Demolition of a residential building for purposes of historic preservation shall be defined as the removal of the front façade or the most visible façade from the street, including changes to the roof and roof line. The front or most visible façade shall be considered the forward most ten feet of the structure. If the portion(s) of a building that is(are) required to remain as described above are later determined by the Director of Community Development to be unusable (e.g., due to dry rot, termite damage, etc.), then said portion(s) may be removed and reconstructed provided the new exterior construction matches the original in material, composition, design, color, texture, shape, and dimensions.

Cognizant of the Downtown Commercial property owners' desire not to include their properties in the new regulations, the Task Force's demolition definition would only apply to residential demolition and what constitutes a demolition of a commercial building would remain undefined.

New Residential Building Design and Compatibility of New Homes and Additions with Existing Homes

The Task Force did not feel that the existing Specific Plan policy regarding new building design and compatibility with the existing neighborhood character was clear and was open to

interpretation. Therefore, the Task Force created two new policies. As drafted, new homes in the Downtown Specific Plan Area would be required to utilize one of the existing residential architectural styles found Downtown dating before 1942. The new section is shown below:

New residential building design, including the design of replacement buildings for buildings constructed before 1942 which are approved for demolition, should draw upon the primary exterior features of the Downtown's traditional design character in terms of materials, colors, details of construction, and setbacks and should utilize one of the following architectural styles found Downtown dating from pre-1942: Gothic Revival, Italianate, Victorian (Queen Anne, Stick, and Folk), Bay Tradition, Craftsman, Prairie, Mission Revival, Spanish Colonial Revival, Mediterranean Revival, Minimal Traditional, Vernacular Forms, and FHA Minimum House.

The other new policy requires the mass and bulk of new single-family homes and modifications to existing single-family homes be compatible with single-family homes in the immediate neighborhood. Compatibility would be assumed if the proposed Floor Area Ratio (FAR) does not exceed the average FAR of the single-family homes in the neighborhood by more than 25 percent. The immediate neighborhood is defined as lots within 150 ft. of the subject lot. Exceptions could be granted if the house design is determined to offset issues created by exceeding the standard or if a representative sample of the neighborhood could not be obtained using the 150 ft. distance. The entire section is shown below:

Compatibility of new single-family homes or modifications to existing single-family homes with the immediate neighborhood (i.e., single-family homes on lots within 150 feet of the subject lot) relative to mass and bulk shall be assumed if the proposed FAR does not exceed the average FAR of the single-family homes in the immediate neighborhood by more than 25 percent. In computing the average FAR, only single-family detached homes in PUD and non-PUD zoning districts in the Downtown Specific Plan Area shall be used. The above compatibility standard does not apply to new single-family homes in PUD zoning districts or modifications to existing single-family homes in PUD zoning districts.

Exceptions can be granted to this compatibility standard if the specific house design is determined to offset issues created by FAR above this standard or if a representative sample of the neighborhood cannot be obtained using the 150 ft. distance, as determined by the Director of Community Development. In no case shall exceptions be granted to exceed zoning restrictions on FAR. However, variances may be granted subject to required findings and established processes.

The Downtown Design Guidelines were also modified to include similar language.

Garage Location

The Specific Plan currently includes a Residential Design and Beautification policy encouraging garages at the rear of lots and the Downtown Design Guidelines state that detached garages are preferred and should be placed at the rear of sites. The Task Force recommends that the Specific Plan and Guidelines be modified to remove any uncertainty of whether the garage has to be detached and placed in the rear of the lot or if it could be attached and placed at the front of the home.

In its discussion of drafting the new standard, the Task Force felt that there is a point when the lot is too narrow to reasonably locate a detached garage in the back of the lot and retain enough space for the construction of the home while meeting the City's setback requirements. The Task Force discussed various lot widths to use as the cutoff when a detached garage would be required (e.g., 45 ft., 50 ft., 60 ft., etc.) and ultimately selected a lot width of greater than 60 ft. The Task Force felt that a lot narrower than this would not allow one to build a house of reasonable width while also meeting the setback requirements. Exception language was also included to address a physical constraint, such as a heritage-sized tree, that prevented someone from installing a driveway on the side of the house.

Below is the Task Force's recommended policy:

When a lot exceeds 60 feet in width, detached garages are required and shall be located to the rear of the site. Exceptions can be granted due to a physical constraint that prevents compliance such as an existing heritage-sized tree.

The Downtown Design Guidelines were modified to include the same language. Staff discusses a possible change to the Task Force's recommendation in the **Discussion** section below.

Clarification to Existing Sections

Because the new demolition and building design sections that were added only address residential structures, the existing sections which had originally addressed all structures (both residential and non-residential) needed to be modified to only address non-residential structures (see policy Nos. 3 and 5 on page 8 of Exhibit A for the recommended changes).

Downtown Design Guidelines Amendments

As noted above, the Guidelines were amended to address new building design, compatibility of mass and bulk, and garage location. Other amendments were made to discourage the use of metal roofs (metal shingles that resemble shake or tile with a dull finish may be approved) and to discourage the replacement of wooden windows (replacement would be allowed if the replacement windows match the original windows regarding operation, profile, height, width, and glazing pattern). Please see Exhibit B for all of the recommended changes.

Municipal Code Amendments

Story Poles

Story poles are a three-dimensional, full-scale silhouette that outline the location, bulk, and mass that a proposed structure will occupy on a site. Usually only the main wall planes and roof ridges are depicted. Story poles are usually constructed with wood 2x4s or PVC tubing and can include bright orange mesh on top to enhance visibility. The use of story poles has been discussed by the Planning Commission in the past, generally when there are concerns with a proposed structure's height, size, setbacks, etc. The City doesn't currently have any authority to require story poles and, when staff feels they are necessary, staff tries to convince applicants to

provide them. Many times applicants choose not to install them, mostly because of the added expense or the applicant feels they are unnecessary.

Story poles were discussed by the Task Force as useful a tool to ensure the surrounding neighbors are aware of what the proposed home or addition would look like in terms of its height and mass before a decision is made by the City. A similar sentiment was also stated by Councilmember Brown at the Council check-in. The Task Force is recommending that the following section be added to the Design Review Chapter (Chapter 18.20) of the Municipal Code:

If determined to be necessary by the zoning administrator or planning commission, an applicant for a new house within the Downtown Specific Plan Area or a two-story addition to an existing house within the Downtown Specific Plan Area shall install story poles depicting the height and mass of the proposed house or addition subject to the satisfaction of the zoning administrator or planning commission. Unless otherwise directed by the zoning administrator or planning commission, the story poles shall be installed by the applicant prior to public noticing and shall remain in place until the project has been acted upon.

Demolition by Neglect

As described by the National Trust for Historic Preservation, “Demolition by Neglect” is the term used to describe a situation in which a property owner intentionally allows a historic property to suffer severe deterioration, potentially beyond the point of repair. Property owners may use this kind of long-term neglect to circumvent historic preservation regulations.

Section 18.74.200 of the Pleasanton Municipal Code currently addresses demolition by neglect for non-single family homes (e.g., multi-family dwellings and commercial structures) within the Downtown Revitalization District only, which is smaller area than the Downtown Specific Plan Area. The draft code amendment would add a new section to the City’s Property Maintenance Chapter (Chapter 9.28) which would apply to all structures within the Downtown Specific Plan Area. The proposed new text is shown below (other minor changes would need to be made to two other sections of the Property Maintenance Chapter, which are shown in Exhibit C):

9.28.025 Demolition by Neglect

Every person in possession or control of a building and appurtenant premises in the Downtown Specific Plan Area shall maintain and keep in good repair such building and premises. “Good repair” means and includes that level of maintenance and repair which: (1) clearly ensures the continued availability of such building and premises for lawful reasonable uses; (2) prevents deterioration, dilapidation, and decay of any exterior portion of such building and premises; and (3) prevents deterioration, dilapidation, and decay of interior portions whose maintenance is necessary to prevent deterioration, dilapidation, and decay of an exterior feature.

General Plan Amendments

The General Plan currently states in two locations that the City will adopt a historic preservation ordinance. Based on the City Council’s prior direction that they did not wish to create a historic

preservation ordinance, but instead wanted the existing Downtown historic preservation policies, guidelines, and processes be re-evaluated, these two sections of the General Plan would be deleted as shown in Exhibit D.

Historic Context Statement

As described by Marie Nelson from the California Office of Historic Preservation, historic context statements provide the basis for evaluating significance and integrity of a resource. The historic context statement is an organizing structure for grouping information about historic properties that share a common theme, place, and time. A historic context statement focuses on describing those historical development patterns within which the significance of a resource can be understood.

The draft Pleasanton Downtown Historic Context Statement prepared for the Task Force in 2012 by Architectural Resources Group, Inc. identifies primary themes in the history of Pleasanton and connects those themes to the built environment by identifying property types associated with each theme. It provides a rationale for identifying historic resources that are important to Pleasanton as opposed to those important only to California history. As noted earlier, the Task Force is recommending it be used to help determine whether a residential structure is eligible for listing in the California Register and considered a historic structure. Each residential property in the Downtown Specific Plan Area that contains sufficient components of a residential property type described in the Context Statement would be determined to be eligible for the California Register, provided they have retained their integrity. Integrity is authenticity, or at a minimum, retention of those physical features that define why a property is significant.

Staff is asking that the Planning Commission recommend that City Council accept the context statement. Staff notes that there are some minor edits that need to be made to the context statement which will be done after the Council takes action on the proposed amendments.

Process Flow Charts

The attached flow charts (Exhibit H) show the City process for a residential addition, a residential tear down and rebuild, new residential construction (i.e., a new house not involving demolition of an existing house), and a residential remodel. The flow charts will be integrated into a new public informational guide explaining the City's historic preservation policies and regulations, submittal requirements, and processes. The informational guide will be completed by staff after the Council takes action on the proposed draft amendments. The Commission does not need to take formal action on the flow charts, but any feedback is welcomed by staff.

III. DISCUSSION

Staff supports the proposed amendments and believes that they will help protect historic residential properties that are valued by the community from possible demolition. The amendments will also help streamline and eliminate uncertainty in the City's review process and eliminate inconsistencies between the Specific Plan policies and Downtown Design Guidelines.

The completion of a historic resource survey to be completed by a consultant after the Council takes action on the proposed draft amendments will have several benefits: it will save property owners/applicants time and money since they won't have to hire a consultant to prepare an individual property survey (which typically can cost about \$5,000 and take 30-45 days to complete); it will let owners/applicants know whether the property is considered historic or not and allow them to plan their additions/modifications accordingly; and it will aid staff in its review of projects.

Staff recommends a few minor clarifications/corrections to the Task Force's proposed amendments and discusses a possible change to the garage location amendments as described below.

Staff-Recommended Changes

Downtown Specific Plan

Based on the Council's direction and the feedback from the Downtown's commercial property owners, the Task Force intended to exclude commercially-zoned properties and make the new historic preservation policies and regulations apply to residential buildings in residential zones as there are some homes in a commercial zone such as Spring Street or an office zone such as Old Bernal Avenue. In drafting the new sections of the Specific Plan, staff forgot to add language to clarify this when it was presented to the Task Force. Therefore, staff added clarifying language to Historic Resources Policies 1, 2, and 3 on pages 7 and 8 of the draft Specific Plan amendments (Exhibit A). These changes are shown in highlight.

Downtown Design Guidelines

The mass and bulk compatibility policy in the Specific Plan had gone through various drafts before the Task Force selected its final form. There is a similar mass and bulk guideline in the Downtown Design Guidelines (Height and Mass bullet two on page 35) that staff forgot to update to incorporate the Task Force's final changes to the Specific Plan policy. The attached amendments to the Guidelines (Exhibit B) include this correction.

Possible Change to Garage Location Amendments

While staff supports making the Specific Plan and Guidelines consistent with respect to garage regulations, staff questions whether using the Task Force's recommended greater than 60 ft. lot width would potentially allow more homes to be built with a garage-dominated front elevation in the one area of the city where it would look most out of character with the surrounding homes and conflict with the architectural styles that are being required.

The Task Force had originally contemplated using a 50 ft. lot width as the cutoff for requiring a detached garage. The Task Force and some members of the public were concerned about the width of the house that would remain if you were required to place the drive aisle leading to the detached garage on the side of the house. However, staff notes that if a two-car garage was

allowed on the front of a house, then you would lose 20 ft. of the house width at the front portion of the house for a 20 ft. wide by 20 ft. deep two-car garage (the minimum dimensions allowed by Municipal Code). On a 50 ft. wide lot (a common residential lot width Downtown), that would result in a remaining width of 14 ft. for the living area of the house adjacent to the garage and a 34 ft. house width beyond the garage after the City setbacks are applied for the RM-4,000 Zoning District (which includes the homes on the east side of First St. and the west side of Second St.). Conversely, a 10-ft. wide driveway on the side of the house with one-ft. wide landscape planters on either side (12-ft. total) results in a 31-ft. wide house after the City setbacks are applied, which is wider at the front of the house than if the garage is attached and only three feet less in width behind the attached garage option. A graphic example of this is shown on Exhibit I along with examples for the other residential zoning districts in the Downtown Specific Plan Area: the R-1-6,500 and RM-1,500 Districts.

Staff notes that there are many examples of 50 ft. wide lots with driveways on the side of the house leading to a detached garage in the rear of the lot. For example, on the west side of Second St. between Kottinger Dr. and Arendt St., where most of the 13 lots are 50 ft. wide, there is a driveway on the side of all of the homes except for the corner lot at Kottinger Dr. (which has a driveway on Kottinger Dr. and no driveway on Second St.).

Options for Consideration

The following are a few options that the Commission may wish to consider and/or discuss:

1. Use the Task Force's recommendation without changes.
2. Change the Task Force's recommended greater than 60 ft. lot width for requiring a detached garage to 50 ft. (or another dimension the Commission believes is appropriate).
3. Use the Task Force's recommended greater than 60 ft. lot width for requiring a detached garage and add language to encourage detached garages be located at the rear of lots on lots 60 ft. or less when feasible.
4. Keep the existing Specific Plan and Guideline language which encourages, but doesn't require detached garages be located at the rear of lots.

Other Items for Possible Future Consideration

Based on the feedback from the City Council at the June check-in, the Task Force is not recommending that the Planning Commission or City Council require Design Review for modifications to the first floor (i.e., 10 ft. or below in height) of single-family homes or establish a Mills Act Program as part of this package of amendments. However, some Task Force members felt that expanding design review authority to the first floor of homes in the Downtown is critical to ensure that changes are consistent with the Downtown Specific Plan and Downtown Design Guidelines. In addition, some Task Force members believe that the Mills Act is a useful economic incentive to help property owners preserve historic buildings. The

Task Force is recommending that the City Council ask staff to continue to evaluate these two items.

IV. PUBLIC COMMENT

Notices regarding the proposed amendments and related public hearing were sent to property owners and tenants within the entire Downtown Specific Plan Area (shown on Exhibit K), the Task Force members, and interested parties who contacted staff requesting such notice. The public notice was also published in *The Valley Times*.

At the time this report was written, staff had received comments (Exhibit J) from the Pleasanton Downtown Association (discussed in the section below) requesting changes in order to clarify and simplify future development process in Downtown and from Michael Harmon, 4453 Second Street, expressing concern that he will have difficulty with a planned house addition and garage replacement. Staff will forward to the Commission any additional public comments as they are received.

Pleasanton Downtown Association Comments

Changes listed under Item #1

The Pleasanton Downtown Association (PDA) is requesting changes to two existing Specific Plan policies that only apply to commercial properties. The PDA's suggested edits would weaken the existing policies by discouraging the demolition of historically significant commercial properties (currently states prohibit demolition) and by removing "height, floor area, bulk, massing, and setbacks" from a policy stating that new non-residential building design should draw upon the primary exterior features of the Downtown's traditional design character. Staff notes that the Council directed the Task Force to not impose new regulations on the commercial properties, but it did not direct the Task Force to weaken the existing commercial policies. In addition, these policies have been in place since 2002 and staff does not feel they are an impediment to commercial development and does not see the need to weaken them and that they are needed to protect historic commercial structures from demolition such as the Pleasanton Hotel. Therefore, staff does not support the suggested edits.

Changes listed under Item #2

The PDA is requesting that Specific Plan policy 7 be rewritten to only apply to residential properties, not commercial. Staff notes that this policy currently applies to all properties (both residential and commercial) in the Downtown Specific Plan Area. The Task Force's recommended amendments would provide more flexibility to all properties including commercial as it changes the language stating that additions/modifications to historic buildings "should match the original" to "should complement the original." Furthermore, the language the Task Force added stating that additions/modifications should be consistent with the Secretary of the Interior's Standards for Rehabilitation would apply under State law (California Environmental Quality Act) whether it was mentioned in the policy or not (unless an applicant

wanted to prepare a costly and time-consuming Environmental Impact Report for consideration). Therefore, staff does not support the suggested edit.

Changes listed under Item #3

The PDA is requesting the demolition definition be rewritten for residential only. Staff notes that the demolition definition had already been revised by the Task Force to reflect that it applies to residential demolition only.

V. ENVIRONMENTAL ASSESSMENT

This project is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), as it has been determined that the amendments will not cause a significant negative effect on the environment.

VI. STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed amendments to the General Plan, Downtown Specific Plan, Downtown Design Guidelines, and Municipal Code are statutorily exempt from CEQA;
2. Recommend the City Council accept the Pleasanton Downtown Historic Context Statement; and,
3. Adopt resolutions recommending approval of: 1) Case P13-2447, amendments to the General Plan, as shown in Exhibit D; 2) Case P13-2446, amendments to the Downtown Specific Plan, as shown in Exhibit A; 3) amendments to the Downtown Design Guidelines as shown in Exhibit B; and 4) Case P13-2448, amendments to the Pleasanton Municipal Code, as shown in Exhibit C, and forward the applications to the City Council for public hearing and review.

For questions or comments about this proposal, please contact: Steve Otto, Senior Planner at 925-931-5608 or sotto@cityofpleasantonca.gov