

**CITY COUNCIL AGENDA REPORT**

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June 4, 2013  
Community Development Department  
Planning Division

**TITLE: HISTORIC PRESERVATION TASK FORCE STATUS REPORT AND COUNCIL CHECK-IN**

**SUMMARY**

The Ad Hoc Historic Preservation Task Force wishes to update the City Council on the results of their work over the past 15 months and to request direction on specific proposals the Task Force is considering.

**RECOMMENDATION**

Provide direction on the following matters:

1. The adequacy of current standards of significance for historic structures and the potential desire for a local historic district.
2. The use of the Local Historic Context Statement as a supporting document.
3. The definition of demolition.
4. Expansion of the Design Review authority of the City for first floor exterior changes on residential structures within the Downtown.
5. Adequacy of existing Historic Preservation Policies and Guidelines.
6. Better clarity and efficiency of review processes.
7. The establishment of an incentive program to encourage historic preservation activities.

**FINANCIAL STATEMENT**

There is no financial impact associated with providing direction to the Task Force.

Consultant assistance to prepare a Historic Context Statement (Attachment 3) was authorized by the City Council on June 19, 2012 and is being paid for through the Planning Division's budget (\$25,000). Planning Division staff time associated with the Historic Preservation Task Force is part of the Community Development Department's approved budget. Depending on the Council's direction relative to completing a comprehensive historic survey, additional professional consulting costs could be up to \$100,000.

## **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 Task Force, to consist of seven members- two Planning Commissioners and five at-large Pleasanton residents.

The City Council approved and appointed the following Task Force members:

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

The focus of the Historic Preservation Task Force has been 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.

### **Progress of the Task Force**

The Task Force has met ten times since February 2012 and has accomplished the following:

- 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 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.
- Developed a Draft District Map.
- 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 ten Task Force meetings are available upon request at the Planning Division.

### **Adjustments to the Focus of the Task Force**

The overwhelming response from the Downtown commercial property owners was that they did not support any inclusion of commercial properties into a Historic District (Attachment 4). Based on the feedback provided by the residents and property owners of commercial properties in the Downtown area, the Task Force has reconsidered its position of creating a Historic District that would incorporate the commercial areas of the Downtown. Therefore, if the Task Force forwards a recommendation to establish a local Historic District, the draft District Map (Attachment 2) will be modified to reflect the elimination of the commercially zoned properties within the Downtown area.

### **DISCUSSION**

The Task Force has focused its discussion on several areas where it found the City's overall approach to historic preservation to merit additional review and potential changes. These include the following:

1. **Inadequate Standards of Significance.** The current practice of using eligibility for the California Registry allows too many historic buildings to be demolished.
2. **Definition of Demolition.** Because historic buildings are generally not allowed to be demolished (whatever the standard is or will be), it is essential to have a good definition of what comprises a demolition.
3. **Design Review.** The City's current lack of design review authority for exterior changes to the first floors of historic residential buildings has and can allow inappropriate changes to be made to such buildings
4. **Implementation of Existing Policies and Guidelines.** Existing policies and guidelines in the Downtown Specific Plan and Downtown Design Guidelines are either not clear or not adequately enforced.
5. **Clarity of Process.** There is not enough clarity in the processes for doing a project in a historic area or to a historic structure.
6. **Incentives.** There are no realistic incentives for those required to do historic preservation.

Each of these issues is discussed in more detail below.

1. **Inadequate Standards of Significance.** The Task Force feels that the City currently allows or could potentially allow too many older buildings to be demolished because our standards of significance, based on State Criteria, are not strict enough to preserve all historic buildings that are important to Pleasanton. Current policies only protect historic properties from demolition if the structures are eligible for the California Register of Historic Resources, a relatively high bar. One way to address such a problem is to implement local standards through a local Historic District.

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 local Historic District would essentially provide protection from demolition, any historic property that matched any of the identified important property types identified in the Context Statement, provided that it retained its historical integrity (i.e., that it had not been altered such that its character-defining features have been removed or destroyed).

Important to any decisions on local standards or a Historic District is the time frame through which individual properties are determined to be historic resources. While the state standards use a rolling 50-year time period, the Task Force has been more inclined 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. There is general agreement among the Task Force that either the start of US involvement in or the end of World War II (1942 or 1945) is the appropriate date for Pleasanton.

The following are structures in the Downtown that have been either demolished or approved for demolition that may have been required to be saved if a local standards or a local Historic District had been established.



Old Stanley Blvd.



Third Street

- 2. Definition of Demolition.** Current State law and City policy prohibit the “demolition” of historic resources unless an Environmental Impact Report (EIR) is prepared, and the City decides that there are more benefits to the community to allow demolition of a historic structure than preserving it. This process is expensive and time-consuming and has never been used by applicants or recommended by staff. The development review process for projects that involve substantial renovation and remodeling is made more complex by the fact that the City currently does not have a definition of exactly what constitutes a demolition. For example, does the preservation of just one wall of a home constitute a demolition? Two walls? A certain amount or percentage of linear feet? The Task Force has tentatively agreed on the following more flexible definition:

*“The removal of any physical element of a structure that upon removal, would substantially diminish the historic significance of a structure.”*

The Task Force recognizes that this definition requires the use of discretion on the part of the City which can lead to disagreements and delays in the decision-making process. However, it also addresses the essence of the issue, which is the preservation of the character-defining features of a building.

An alternative definition could include:

*“Demolition of a 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.”*



*Is this historic preservation?*

- 3. Design Review.** The City currently reviews the design of all new additions to homes that are greater than ten feet in height. This review involves evaluation of projects relative to existing zoning regulations regarding setbacks, height, and floor area ratio (FAR). The review also involves evaluation of the proposed design's compatibility with surrounding properties. In some areas of town including the Downtown, the City has adopted design guidelines which call for certain styles of homes, particular site layout requirements, more limited choice of building material, etc. These guidelines are intended to maintain the traditional design and historic character of the Downtown on both new buildings and modifications to existing structures. In addition to new structures and additions, design review applies to exterior changes to residential structures that are proposed ten feet or more above the ground. The thinking behind this requirement is that these types of changes are more visible to the public and adjacent neighbors than alterations to the lower ten feet. With historic structures, proposed changes to the first floor are often problematic. The location, spacing, and size of window and door openings, as well as the type of windows and doors, are often significant character-defining features of historic homes. The design of porches and foundation treatments can also be important. The Task Force is suggesting that design review authority be expanded to include the first floor of structures on certain categories of homes, either all homes that are determined to be historic or all homes in a potential Historic District.

**4. Implementation of Existing Policies and Guidelines.** The Downtown Specific Plan and Design Guidelines contain several policies and guidelines requiring new construction, remodels, and additions to be compatible with the historic character of the area.

There has been some concern that these policies and guidelines are either not specific enough on specific issues or have not been implemented properly by the City. A few examples of those policies that have been the subject of controversy are provided below:

*Design and Beautification Policy 14. Preserve and protect the character of the East side neighborhood around Second Street from tear-downs, large-scaled and inappropriately styled additions, and lot consolidations. Preserve and encourage similar architectural elements and details such as porches, picket fences, and flower boxes. Preserve the neighborhoods orientation of street-facing entrances.*

The photos below show a bungalow on Third Street that was torn down, and the larger home that replaced it. Some residents believe that the home should have been preserved and that the new building is inappropriately scaled for the neighborhood.



Old



New

*Design and Beautification Policy 15. Protect the character of the west side neighborhood around St. Mary's Street and Division Street from inappropriately-scaled additions or new construction unrelated to the density, size, and character of the neighborhood.*

The photo below shows a remodel on Division Street that some residents felt was too large and not in character with surrounding architecture.



*Design and Beautification Policy 21. Prevent the use of industrial or commercial building elements and materials in residential areas.*

Some residents felt that the use of metal roofs and large windows made this new home on Neal Street have a commercial character.



### **Downtown Design Guidelines**

*Floor area of new homes and additions to existing homes are to be compatible with surrounding houses.*

Oftentimes, surrounding homes have FARs less than allowed by zoning regulations. This begs the question as to whether the zoning regulations apply, or if there is a different metric that should be used when adjacent or nearby homes are smaller.

#### *Windows*

There are several Downtown Design Guidelines that suggest that wooden windows should be required in the remodeling of historic homes and in the construction of new homes in historic neighborhoods. This can create added expense and increased maintenance requirements. Some residents believe that policies on windows may need to be more specific as to when or if wooden windows are required.

- 5. Clarity of Process.** The current process to get a project approved when historic preservation is an issue involves the intermingling of Local, State and Federal regulations, standards, and processes. The intermingling of these standards and processes can make the application process confusing and time-consuming for project applicants, leaving them with the impression that there is no fixed process and that outcomes are uncertain. While the end result of discretionary review can never be entirely predictable, the Task Force believes that the overall process can be improved through addressing some of the problems described above to provide more clarity within the local Pleasanton part of the equation, but also through provision of a comprehensive flow chart of the overall process to help inform applicants what various steps and decision points will be involved. No such documentation of the process currently exists.

One major component of any proposal involving the demolition of a historic structure is the preparation of the necessary professional analysis to determine if a specific structure meets the criteria for protected status. Currently, when the need for such analysis arises, the project applicant is required to hire a City-approved expert to complete this analysis. The cost is usually about \$5,000 and often can take 30 to 45 days to complete. The Task Force has concluded that completing a survey of all of the older homes in the Downtown to predetermine if this status would be a significant saving for applicants in terms of both time and money. Such a comprehensive survey would benefit from economies of scale and could be completed for approximately \$100,000.

- 6. Incentives for Historic Preservation.** The Downtown Specific Plan currently suggests that the City encourage participation in the Federal Historic Preservation Tax Certification Program to assist in the funding of historic preservation projects. However, such a program requires the creation of a National Register Historic District in Downtown Pleasanton, a proposal that is probably not consistent with current community desires or realistic in terms of the level of historic resources present in Pleasanton. Alternatively, the Task Force suggests that the City pursue establishment of a Mills Act Program, which could be accomplished with the creation of a local Historic District or an adopted inventory of historic resources. The program involves contracts between the City and the property owner whereby an agreed-upon list of preservation activities are agreed to in exchange for a reduction on the City's share of local property tax.

## **ALTERNATIVES**

The City Council may want to consider alternatives to pursuing the entire package of efforts identified by the Task Force. While the potential combinations of various programs are extensive, the following is an attempt to group combinations of actions together that represent different levels of effort that make sense together. These Alternatives are listed in order of increasing levels of effort.

*Level 1. Implement basic improvements only (i.e., definition of demolition, clarify existing policies and guidelines, provide process flow chart).*

This approach would not add any significant new standards or regulations but would clarify the policies and regulations that already exist.

*Level 2. Partial implementation of Task Force recommendations (i.e., definition of demolition, design review for first-floor residential for historic buildings, clarify existing policies and guidelines, provide process flow chart, complete comprehensive historic resource survey).*

This would update the City's package of Historic Preservation policies and regulations and address some of the Task Force's concerns without creating a Historic District, new local standards of significance, or providing the Mills Act incentive. It would result in

limited increased protection against exterior changes of existing historical buildings. It would also provide better clarity in our processes and would avoid the cost of future individual studies by consultants that are paid for by applicants.

Level 3. *Increased Partial implementation of Task Force recommendations (i.e., accept local context statement as primary resource document and basis for local standards, definition of demolition, design review for first-floor residential for historic buildings, clarify existing policies and guidelines, provide process flow chart).*

This would provide an update to the City's package of Historic preservation policies and regulations and address most of the Task Force's concerns without creating a Historic District or providing the Mills Act incentive. It would result in the protection of more historical buildings while providing better clarity in our processes, and would avoid the cost of future individual studies by consultants that are paid for by applicants.

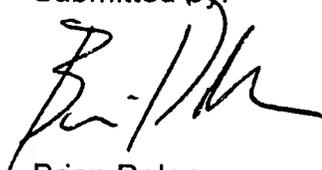
Level 4. *Pursue all programs considered by the Task Force ( i.e., local district with local standards for significance, accept Context statement as primary resource document and basis for local standards, definition of demolition, design review for first-floor residential for historic buildings, clarify existing policies and guidelines, provide process flow chart, complete comprehensive historic resource survey, implement Mills Act Program).*

This would provide a comprehensive update to the City's package of Historic preservation policies and regulations and address all of the Task Force's concerns. It would result in the protection of more historical buildings while providing better clarity in our processes. It would also avoid the need for most future individual studies by consultants, and would provide some modest incentives to complete historic preservation activities by home owners.

#### **NEXT STEPS**

Based on Council direction, the Task Force members and staff will begin crafting recommendations as appropriate for revisions to the Downtown Specific Plan, the Downtown Design Guidelines, and amendments to the Municipal Code. At a future date, the recommendations will be brought to the Planning Commission for review and recommendation to the City Council. Ultimately the recommendations will be presented to the City Council for its review and consideration.

Submitted by:



Brian Dolan  
Director of  
Community Development

Approved by:



Nelson Fialho  
City Manager

**Attachments:**

- 1. Historic Preservation Task Force Members**
- 2. Map of Draft Historic District**
- 3. Local Historic Context Statement**
- 4. Petition to Remove Commercial from the Draft Historic District**