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## DRAFT SUMMARY OF MEETING #6

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### **Summary of Historic Preservation Task Force Meeting #6**

Thursday, November 15, 2012

6:30 pm – 8:30 pm

157 Main Street, conf. room 3

#### **Task Force Members in Attendance**

Planning Commissioner Jennifer Pearce

Paul Martin

Plan. Com. Phil Blank (Chair)

Bonnie Krichbaum

Emilie Cruzan

Gerald Hodnefield

Linda Garbarino

#### **Task Force Members Absent**

None

#### **Staff Present**

Brian Dolan, Director of Community Development

Rosalind Rondash, Associate Planner

#### **Others Present**

Christine Bourg

Brian Bourg

Karla Brown

Mike Peel

Sandra Jellison

Jeff Schroder

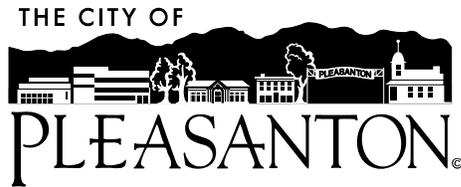
Jon Harvey

Art Dunkley

#### **Meeting Purpose and Agenda**

**Review Where We Are At Summary.**

Below is the agenda for the meeting.




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## A G E N D A

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### Historic Preservation Task Force Meeting #6

Thursday November 15, 2012, 6:30 pm – 8:30 pm, 157 Main Street, conf. room 3

**Outcome: Review Where We Are At Summary.**

- 6:30 pm    **I.      Welcome and Review of Meeting Purpose**
  - A. Welcome and Agenda Overview
  - B. [Review and Approval of the Meeting #5 Summary](#)
- 6:40 pm    **II.     Meeting Open to the Public** *(items not on the agenda)*
- 6:50 pm    **III.    Old Business – None**
- 6:55 pm    **IV.    Discussion of:**
  - A. Path Forward – [Document # 2](#) and [Map](#)
  - B. Next meeting will be on December 13, 2012, if agreement is not reached or if additional information is needed to proceed.
- 7:35 pm    **V.     Meeting Open to the Public to Comment on the Meeting Material**
- 8:15 pm    **VI.    Matters Initiated by Task Force**
- 8:25 pm    **VII.   Summary and Next Steps**
  - A. Summary of the Meeting, Next Steps, Review of Next Meeting Topics
  - B. Future meeting dates:
    - Thursdays**
    - Dec 13, 2012 (tentative)
    - Jan 17, 2013 (Public Workshop)
  - C. Location of Next Meeting

6:30pm – 8:30pm	Operations Service Center (3333 Busch Road)
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- 8:30 pm    **X.     Close**

#### **Accessible Public Meetings**

The City of Pleasanton will provide special assistance for citizens with disabilities to participate in public meetings upon reasonable advance notice. If you need an auxiliary hearing aid, sign language assistance, or other accommodation, please contact the following staff at least two working days before the meeting date: Christina Morales, Senior Office Assistant, (925) 931-5603, cmorales@cityofpleasantonca.gov.

The meeting was opened by Planning Commissioner Blank at 6:34 p.m. Agenda items were presented and discussed in order.

### **1. Welcome and Review of Meeting Purpose.**

#### a. Welcome and Agenda Overview

Mr. Dolan indicated that the meeting would be spent reviewing Review Where We Are At Summary.

#### b. Review and Approval of the Meeting #5 Summary

Commissioner Pearce moved approval; the motion was seconded by Mr. Hodnefield.

Ms. Garbarino requested that page 7 of 7, item 6, be corrected to “we”.

Commissioner Blank abstained. Passed 6:0.

### **2. Meeting Open to the Public.**

No comments related to Historic Preservation were provided.

### **3. Old Business.**

None

### **4. Discussion of Path Forward, Document #2:**

Mr. Dolan indicated that based on the last meeting, he and staff put where the Task Force was at to be able to share it with the public in advance of a Council check in. Additionally, it was agreed that outreach be done before going to Council so that the Task Force has some sense of if the public agrees with the direction the Task Force is going.

Mr. Dolan indicated that he revised the previous document (Path Forward Document #1) to reflect what was decided since then. Mr. Dolan iterated the changes that were made: The “Goal” was changed to a “Purpose” to be better understood by the general public and Mr. Dolan described who would be invited to the outreach meeting: all property owners in the Downtown Specific Plan area, those that have shown interest in the topic or Task Force, and those that have properties outside the Downtown Specific Plan area but own properties that are being considered for neighborhood designation.

Purpose: To ensure that additions, remodels, renovations, and new development in designated historic neighborhoods are designed and constructed such that they are compatible in scale, massing, height, setbacks, architectural style, architectural features, level of detailing, and materials with the historic character of these areas. In order to do so, the Historic Preservation Task Force is contemplating proposing the following actions to the City Council.

Mr. Dolan further discussed the conscientious regarding the expansion of the design review authority, stating this would be staff-level design review process, with notification, similar to what is currently required for additions, new homes, or changes to existing homes when the change is proposed ten or more feet above the ground. Staff decisions would be appealable through the current process. This action would require a change to the Zoning Ordinance related to Design Review.

Mr. Dolan explained that there are currently situations where historic buildings are changed and the City doesn't have review authority even though those changes diminish the historic

significance of the structure. It would likely primarily affect changes in doorways and window shapes, the construction of porches, the addition of non-historical elements such as wainscoting, and any other changes in exterior design or materials made to the first floor of a building. (These types of changes currently made above ten feet from the ground are already subject to this review). Mr. Dolan indicated that this expansion of the City's authority is not onerous, but can really protect the historic buildings.

Mr. Hodnefield inquired about the application to non-historical homes and the application to newer homes just because they are within an identified district and a new home won't be able to change out your windows without a review process. Mr. Hodnefield felt the requirements were being applied without regard to whether the home was historical or not. Mr. Dolan confirmed that all buildings with a defined neighborhood district would be reviewed for appropriateness of the changes in the context of the neighborhood where they reside. There was some discussion regarding the intent of the City in the review process. Mr. Martin inquired about what the submittal criteria and process was for the design review application. Mr. Dolan indicated that a set of plans, information regarding the materials to be used, the completed application, and the application fee. Some discussion occurred regarding whether a fee should be charged for such an application on a historical home. The discussion was divided, with about half of the group requesting no fee be charged for design review applications on historic homes or homes within historic neighborhood for these minor modifications to the structure. Mr. Martin stated that the review should be free, similar to the requests to remove trees. However, Ms. Garbarino questioned why should you not have to pay for changes that occur below 10 feet when you already have to pay if the change is above 10 feet? Commissioner Pearce stated that she felt it was a clean up of the code. Mr. Martin and Mr. Hodnefield expressed their concern of adding regulations to the property owners and requested that the process be as streamlined as possible.

Commissioner Blank stated that having regulatory changes are necessary for structures within historic districts otherwise the district should not be established for protection and there would be no need for this Task Force. Mr. Dolan clarified that the regulations could be tailored to just the identified historic resources, but a historic survey would need to be done to identify those properties. Mr. Dolan emphasized that the expansion of the design review authority is a baby step, but it has a lot of "bang for its buck" and if no other recommendations are utilized, this is one thing that would help protect our current resources and he expressed that, in his opinion, it is not that onerous.

Ms. Krichbaum asked for clarification on what would be reviewed- only things that can be seen; or on the front versus things on the back or side of the house? Mr. Dolan indicated that the regulation would have to be applied to all portions of the structure since you can't make a determination at the counter about what is visible to someone else, but staff would take that into consideration when reviewing the project.

Commissioner Blank requested the Task Force indicate their position on applying the proposed regulations changes as proposed by staff (to apply them to the defined neighborhood, not individual homes). Ms. Krichbaum suggested that the language that describes the changes as a 'Clean Up' be incorporated into the purpose and that those that have concerns about how the regulations apply to their non-historic home should come forward to the City Council. Discussion occurred regarding how the regulations would be applied, but Mr. Dolan clarified that the concept of expanding the regulations is what is being reviewed right now and that the details of an ordinance would be worked out after the City Council has provided their tenor on the topic. Commissioner Pearce concurred with moving forward with the language as proposed by staff and see what the public and Council say.

The Task Force was in agreement to put the language out as written to get comments from the public and Council.

**Discussion of Adopt Local Historic Districts as a Zoning Overlay District:**

Mr. Dolan indicated that the consultant and staff have reviewed the existing neighborhood map and concur that some properties were left off. Staff adjusted the map based on some simple assessments, but no formal review of the properties was done. Mr. Dolan indicated that once a property is designated in a district several things will happen, including public knowledge and stature is given to the property, the public is more informed, but it also effect CEQA (California Environmental Quantity Act) and how CEQA is applied. He further explained that changes to a historic resource has to be reviewed and detrimental changes have to be mitigated or avoided. Mr. Dolan explained the application of CEQA is a level of protection that is not currently afforded to our neighborhood resources. Mr. Dolan reviewed the suggested changes to the neighborhood map and indicated that more professional help would be needed to better assess if additional properties should be added to the existing neighborhoods and specifically noted the area along Division Street. Mr. Dolan indicated this would increase the level of protection to historic resources within the District boundaries as all significant resources in the District that retained integrity would be protected. Currently, only resources that meet the requirements of eligibility for the California Register are offered this protection.

Commissioner Blank asked what would be involved with getting the professional help on this. Mr. Dolan indicated that money to pay for the additional survey services, but clarified that we wouldn't be getting DRP forms for each of the sites, but rather a survey regarding the integrity of the structures with a neighborhood. Mr. Dolan indicated that DPR may still be needed with additions, etc to determine the conformance with the Secretary of the Interior's Standards, but having the determinations made up front would limit the additional reports to site that are known to be historic.

Commissioner Blank asked about the actually dollar amounts for such surveys, to which Mr. Dolan indicated that he feels it would be in the \$75,000.00 range. The Task Force had discussion regarding what resources were already available for use to complete the surveys. Commissioner Pearce inquired about the fiscal threshold that required Councils approval. Mr. Dolan responded that he would want to take this request to them.

Mr. Hodnefield stated that he didn't see that the Local Historic Context Statement reviewed newer homes. Mr. Dolan responded that the document wouldn't review those ages as they are not considered historic. Mr. Dolan provided clarification that the review of modifications to newer homes (non-historic homes) within a designated district would be guided by the existing policies in the Downtown Specific Plan.

Mr. Dolan indicated that there needs to be discussion about the year that is in the document, which is in the late 1940's. It is a type that is identifiable and it is part of our history, but Mr. Dolan questions the Community's value in protecting them. Mr. Dolan suggested that this question be put to the public.

The Task Force indicated that the map, as staff has recommended, be taken forward for comment by the public, with the understanding that it is a work in progress. Ms. Cruzan suggested staff consider additional properties and provide additional background on the original neighbor delineations. Mr. Dolan explained that current staff does not know how the lines were decided with original map creation and clarified that the additional properties that are being recommended for inclusion are based on preliminary feedback from ARG.

## **1. Accept the Local Historic Context Statement.**

Mr. Dolan indicated that the City's legal staff would need to weigh in on what needs to be done to the Local Historic Context Document; and provide a rationale for identifying historic resources that are important to Pleasanton as opposed to those important only to California history. Each property in the Historic Districts that matches the property types described in the Context Statement would be provided the same protection currently afforded to those resource which are 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. Mr. Dolan indicated that the fact that it is a resource document may be enough in and of its self, but feels that the Council should be asked to accept it.

Commissioner Blank, Commissioner Pearce, and Ms. Garbarino expressed a desire to do that independently of the public outreach process. Mr. Dolan encouraged the Task Force to not take it to the Council until the public outreach is done and stated that it should be a discussion item, because it will have an effect on surveys/studies that are done for individual properties. Karla Brown, a member of the public, questioned if the City Planning Division and Planning Commission would use the document as a tool to make sure that any modifications to a home or new construction/ in-fill within one of the five neighborhoods meets the standards. She additionally stated that she would like to have the item come forward for public comment and requested that it not be on the consent calendar.

The Task Force collectively expressed a desire for the consultant to present at the City Council hearing, but Mr. Dolan indicated that there are no funds available to achieve that.

Commissioner Pearce expressed concern about taking the Local Historic Context Statement to a public forum; where discussion may ensue about what the Task Force is doing when they aren't ready to have that discussion publically. Mr. Dolan confirmed that the check-in would allow for both to occur and indicated that how the document will be used will be explained at the check-in and a reporting of the progress of the Task Force would be provided.

Commissioner Blank requested calcification on how the document could be used. Mr. Dolan stated that someone could use the document to make an argument regarding a properties significance or lack significance, and that argument would need to be either accepted or not. Mr. Dolan further clarified that the document does

not affect in-fill because in-fill is handled with the Specific Plan and indicated that the Context document only deals with what is here and explaining its connection to the past.

## **2. Define Demolition**

Mr. Dolan explained generally the ways other places have defined demolition and provided the staff recommended definition as: the removal or destruction of any physical element of a structure that, upon removal, would substantially diminish the historic significance of a structure.

Mr. Dolan explained that this definition would assist in determining what buildings or what part of buildings could be eliminated or replaced based on which physical features would be removed. It would allow removal of parts of a historic resource, so long as the features that identify it as a significant resource remain. By better defining demolition, it is assumed that fewer historic structures would be completely removed. Instead, appropriate additions are more likely to be proposed. Mr. Dolan further stated that the clear definition would give the public more certainty when considering the scope of a project. Mr. Dolan indicated that the definition would be added to the Zoning Ordinance.

The Task Force agreed to move forward with the definition of demolition as proposed by staff.

## **3. Implement a Mills Act Program**

Mr. Dolan introduced the topic of the Mills Act by stating that it helps property owners pay for expenses associated with maintaining and restoring historic resources via a reduced property tax program. Mr. Dolan indicated that the Mills Act functions as an incentive to encourage historic preservation and maintenance of historic properties and indicated that this program allows cities to enter into contracts with owners of historic properties which provides for property tax reductions in exchange for specified restoration or maintenance activities.

Karla Brown asked if there were income restrictions associated with the program? Mr. Dolan responded that there were not income qualifications for the program.

Commissioner Blank requested a list of the Cities [and counties] that have used the program.

Ms. Krichbaum asked if the program precluded rental properties and provided the example of a person purchasing a historic property and fixes it up, but then rents it out. Mr Dolan indicated that he would need to look into that.

Mr. Martin asked if the Mills Act applied to commercial property? Mr. Dolan indicated that he would need to look into that.

Mr. Dolan further indicated that the use of the Mills Act would replace some of the actions listed in the Specific Plan that will never happen; he stated the example of establishing a national register historic district, and expressed that using the Mills Act is a real opportunity.

#### **4. Better utilize the California Historic Building Code**

Mr. Dolan indicated that the use of the California Historic Building Code provides property owners flexibility in Code compliance particularly during renovation when such flexibility is necessary to retain significant historic architectural features and allows a local Building Official to approve alternative building regulations for permitting repairs, alterations, and additions necessary for the preservation, rehabilitation, relocation, related construction, and change of use or continued use of a historic structure. Ms. Rondash provided the example of 706 Main Street; the old ball room dance wear location (historically the mortuary), being converted into a restaurant and the application of exception to some of the ADA requirements related to the front door redesign.

Mr. Dolan acknowledged that the information provided is a lot to digest for the public. Mr. Dolan posed the question “do we want to preserve that last level of property types?” [1940’s] and he indicated that the question needs to be answered before regulatory documents are drafted.

Commissioner Blank questioned the ever moving target when a year is selected and what would be done 20 years from now? Ms. Garbarino expressed the comments from the consultant regarding the need to revisit the documents [every five years] and the need to start looking at the homes when they are 45 years old. She expressed that she wasn’t troubled by the 50 years indicator, but felt that the City would get into trouble with assigned dates. She felt that beautiful homes that should be protected for future years would not be protected if they fell outside a date.

Commissioner Pearce indicated that she would like the consultant to help us select a date. Mr. Dolan responded with a reference to this question be asked previously and the Task Force want to see the Local Historic Context document before deciding on a date, and he indicated that the consultant has now identified the property types with related ages. Mr. Dolan cautioned that by not specifying a date; the Task Force is defaulting to what is listed in the Context document.

Commissioner Pearce further inquired if the document should then be accepted first by City Council before moving forward with other document to provide the buy-in on the foundation document? Mr. Dolan responded that the ‘research document’ can be accepted and further refined.

Commissioner Pearce stated that she was ok with asking the public what ever would be preferred. The Task Force discussed what the public might prefer as a date and why. Commissioner Pearce requested that the question of protecting the homes built in 1949 and earlier be posed in the public workshop and take the public comment on it.

Mr. Dolan expressed that the question on having a meeting in December had been addressed in his opinion. The Task Force concurred that a December meeting was not needed but requested a brief meeting in January prior to the workshop to discuss. Ms. Garbarino expresses that she felt the Task Force was moving in the right direction but wanted more discussion about the three levels (contributing, non-

contributing, and historic) and would like to look at the survey option more. Mr. Dolan responded that the three levels become less important once you have set up the Districts and have the Context statement; if the site is in the district and meets the property, they are fully covered [they are a resource that needs to be protected] and there is no further need to distinguish the levels of protection [if the structure was built before a specified year /property type and has good integrity; it is historic]. Mr. Dolan further indicated that if the Task Force wanted to retain the concept of the three levels, it should be incorporated into the [future] surveys that are done.

Ms. Cruzan expressed a desire to have the consultant come to speak at the public workshop. Mr. Dolan expressed that spending additional money may not be received well by some of the public and felt that the money could be better spent on additional research for the surveys and boundaries. Commissioner Blank expressed that he felt there was value in having the consultant speaking at the workshop. The informal vote of the Task Force was to have the consultant speak at the workshop and at the City Council check-in.

Ms. Krichbaum requested that the presentation to the public be specific. She additionally requested the Task Force talk about design guidelines. Mr. Dolan responded that the presentation should be as general as possible with specific questions being posed. Commissioner Blank also expressed that the Task Force will need to accept the public's desire on the year question, even if it is not what the Task Force would want. Ms. Garbarino provided information regarding petitioning by San Diego residents to be included into the established historic districts based on the increase in property value.

Commissioner Pearce questioned if the Task Force members should be at the workshop. Mr. Dolan indicated that it was not mandatory but the Task Force members were welcome to attend and would appreciate having the strong presence to show the public the commitment.

Mr. Dolan responded to Ms Krichbaum's earlier question about design guidelines by stating that new construction is covered by the design guidelines in the existing documents, though felt that they needed to be adjusted a little to get better implementation, but felt that it was not a topic for the public to deal with but is something the Task Force should deal with. Mr. Dolan also indicated that the design guideline topic should be taken on after the City Council check-in to make sure efforts were properly focused. Mr. Dolan indicated that staff would try to schedule the City Council check-in for February. The location options and noticing area for the workshop was discussed.

## **5. Meeting Open to the Public to Comment on the Meeting Material**

Mr. Peel requested that the date range on the map be broken down into 10 year increments and questioned the scenario of the removal of a porch that was removed and expanded if the new design fit better with the character of the home. Mr. Dolan responded that it would depend on the context of the existing porch and if it was original to the home as well as other factors such as if it is visible would need to be considered. Mr. Peel expressed that a date specific is needed. Mr. Dolan referred back to the

Context statement for the date ranges. 1949 is the year that Commissioner Blank suggested to put forward

Ms. Brown inquired if a primary resource was remodeled, would it still be considered a primary resource. Mr. Dolan responded that the term of Primary may not be a term that is used in the future, but the City would call it an historic home. Ms. Rondash further clarified that the map information is based on County data that may have assigned a new built date to a home if the remodel was substantial.

Jeff Schroder stated his objection to having the 4202 Stanley Blvd. house included in a historic district and requested that property rights be considered in the process and make reference to the garage in Palo Alto.

Ms. Bourg inquired about the coloring of the map and who prepared them and specifically questioned the out layers. Mr. Dolan explained the origin of each line/boundary on the map and expressed that he would want the consultant to look at some areas that do not make sense.

Mr. Dunkley expressed that the discussion of the boundaries is important and is more than just being historic, but also include the street pattern and the surroundings. He also express that the whole Downtown Specific Plan boundary should be the historic district. He further commented that the wording should be revised to not be seen as regulation and control and that the process should be streamlined.

## **6. Consideration of Additional Topics for Task Force Discussion**

Ms. Cruzan referred back to the concept of the neighborhood feel and requested that it be a part of the presentation to the public, and pose it to the public as a question about how they feel about the concept. Commissioner Blank expressed that the survey could help define this concept.

Mr. Dolan expressed his agreement with Mr. Dunkley's comment about the street grid and stated that staff will revise the map to have one district.

Ms. Garbarino questioned what was still needed to be completed and what staff resources that are needed to make sure the regulations work and the home owners have the help that they need. Staff report with listed actions and a number of recommendations for Specific Plan amendments, Zoning text amendments, program initiations like the Mills Act and the modifications to the guidelines. He further explained that the City manager would be in charge of hiring additional staff, but Steve Otto is the best staff member for the task at this time. Ms. Krichbaum requested Steve Otto to come speak to the Task Force.

The Task Force discussed the need for meeting in December and the majority consensus was that there should be a meeting in January prior to the public meeting to allow the Task Force to regroup and understand the format of the workshop.

## **5. Summary and Next Steps**

No summary

The meeting was adjourned at 8:43pm.