



DRAFT SUMMARY OF HISTORIC PRESERVATION TASK FORCE MEETING #11

Thursday, July 18, 2013
6:30 pm – 8:30 pm
3333 Busch Road

Task Force Members in Attendance

Planning Commissioner Jennifer Pearce (Chair)	Paul Martin
Emilie Cruzan	Bonnie Krichbaum
Linda Garbarino	Gerald Hodnefield

Task Force Members Absent

Planning Commissioner Phil Blank

Staff Present

Brian Dolan, Director of Community Development
Steve Otto, Senior Planner

Others Present

Andrew Shaper	Art Dunkley
Chris Bourg	Jan Batcheller
Brian Bourg	Bob Byrd
Sandra Jellison	Brad Hirst
Jon Harvey	

Meeting Purpose

Discuss City Council direction and review process flow charts, definitions of demolition and demolition by neglect, draft amendments to the Downtown Specific Plan and Downtown Design Guidelines, and Local Standards

The meeting was called to order by Chair Pearce. Agenda items were presented and discussed in order.

I. Welcome and Review of Meeting Purpose

A. Welcome and Agenda Overview

Chair Pearce welcomed everyone to the meeting. She indicated that the Task Force will be going over City Council direction from the June check in and where we go from here.

B. Review and Approval of the Meeting #10 Summary

The Meeting Summary was accepted and approved by a vote of 6-0-1.

II. Meeting Open to the Public

No comments were provided.

III. Old Business

A. There was none.

IV. Discussion of:

A. City Council Direction

Mr. Dolan stated that table he is showing was included in the Task Force packet and it shows the main items presented to Council with staff's interpretation of what the Council's reaction was to each item.

- **Create a Local District?** He indicated that there was no Council support.
- **Create Local Standards?** Mr. Dolan indicated Councilmember Cook-Kallio felt that she didn't have enough information to make a decision and some other Councilmembers appeared to agree. He indicated that there wasn't a groundswell of support by the other Councilmembers to create local standards.
- **Create Definition of Demolition?** Mr. Dolan indicated that staff had provided Council with an alternative definition to consider as we heard some concern about the definition provided by the Task Force. He indicated that the Council seemed to prefer the alternative definition. Mr. Dolan indicated that he felt we still had some work to do on the definition as there are multiple opinions.
- **Apply Design Review to First Floor?** He indicated that there was no Council support, but this is an item that he would like to talk about later tonight.
- **Clarify Policies and Guidelines?** He indicated the Council was supportive of this and indicated that the Task Force will probably spend most of the time tonight discussing the specific changes to the policies and guidelines. Staff provided the Task Force with redlined versions with suggested edits.
- **Provide Process Flow Chart?** He indicated the Council was supportive and indicated that staff made a few minor edits to what was presented to Council.
- **Complete a Comprehensive Survey?** There was Council support but there is nothing to discuss tonight as you can't conduct the survey until you know if there will be a local standard to use.
- **Implement the Mills Act?** He indicated that there was no Council support, but this is another item that he would like to talk about later tonight.
- **Demolition by Neglect.** He indicated that he didn't believe Council necessarily voted on this, but the Task Force has discussed it and it is an easy fix because we do have something in the ordinance right now that just maybe needs to be clarified.

B. Review process flow charts, definitions of demolition and demolition by neglect, draft amendments to the Downtown Specific Plan and Downtown Design Guidelines, and Local Standards

- **Process Flow Charts.** Mr. Dolan indicated that the slide shows the process that exists right now and there would not be any changes to it unless local standards would be adopted. He indicated that he felt that the Task Force didn't need to spend time discussing the details of the flow charts tonight as we have plenty of time over the next couple of months to improve them. He indicated that he would rather spend more time tonight discussing the other topics if that was ok with the Task Force.

Chair Pearce said that was ok.

Mr. Hodnefield indicated that one of the big problems that he sees is that there are no timelines on the flow charts and it would be a benefit to have some estimates of times included in the flow charts.

Mr. Dolan indicated that every City process has a target timeline associated with it and staff can take a look at incorporating those into the flow charts.

Ms. Krichbaum asked if the Task Force could see the target timelines Mr. Dolan was referencing.

Mr. Dolan said yes but indicated that they are not tailored towards historic preservation, but are for all development applications.

Ms. Garbarino questioned if part of the Council's justification for doing the historic survey was the money and time savings for those applying.

Mr. Dolan indicated that it would be a huge savings of time and money. He indicated that the one circumstance that it wouldn't be a savings is if you were doing an addition because the survey couldn't anticipate what a future addition would be so you may need a study to say whether the addition meets the criteria.

- **Definition of Demolition.** Mr. Dolan indicated in the packet were multiple definitions of demolition. The first one was the one the Task Force had been working with. The second one was the one staff had provided to Council as an alternative and reflects what staff perceived as the community was more concerned about, which is what you can see from the street including the roofline and front façade. Staff then added language about going back from the front somewhat in order to maintain the forward most architectural element. Mr. Dolan indicated that staff provided examples of a few other cities' definitions and the one that caught our eye the most was Pasadena's, but it gets back into a numerical percentage and that had been a problem for the Task Force and probably for a lot of people since you could save a portion of the side of the house that nobody cares about and get credit for it. He indicated that the second definition provided to Council, with maybe some more wordsmithing, would be his preference.

Mr. Hodnefield indicated what he experienced at his Spring St. house was finding walls or foundation that was not sound which needed to be replaced even though he had originally intended to save them. He said he essentially ended up with a new house. He did not believe that the Code currently addresses this situation and it

Mr. Hodnefield stated his point was that if you were required to preserve the first 10 feet of the house, but found out once you got into it that you can't because it wasn't sound, that you should be able to remove it and replicate it. He stated that language should be added to address that situation.

Mr. Dolan asked if everyone on the Task Force was on board with adding that. The Task Force indicated it was ok. Mr. Dolan indicated that we would add language to address it. Mr. Dolan asked the Task Force if they were ok with working from the second definition. The Task Force agreed.

- **Demolition by Neglect.** Mr. Dolan indicated staff provided the Task Force with what the Municipal Code currently says about demolition by neglect. He indicated that it doesn't apply to single-family homes and that would be the primary change that we would want to make. He indicated it would be a code change and the code section would be referenced in the specific plan to tie everything together.

Mr. Hodnefield questioned what teeth or recourse the City has if someone doesn't comply.

Mr. Dolan indicated that there is a penalty process and a fine can be imposed.

Chair Pearce indicated that the existing demolition by neglect Code section could not be used even if the non-single family home reference was removed because the existing Code section only applies to the Downtown Revitalization District.

Mr. Dolan agreed and said that the Task Force was presented with a new code section, which he is showing in the current slide that could be used and it would apply to the Downtown Specific Plan Area.

Chair Pearce questioned if it mirrored the language in the current Code, but was expanded to cover the Downtown Specific Plan Area.

Mr. Otto indicated it uses similar language and it also includes a section which addresses if one were to let the interior deteriorate to a point where it affects the exterior of the structure.

Chair Pearce questioned if Council supported the Code change.

Mr. Dolan indicated that Councilmember Brown raised the issue several times. He indicated that other Councilmembers at the check in did not state support or opposition to it, but he felt that Councilmember Brown does have the Council's support.

- **Draft Amendments to the Downtown Specific Plan.**

Jon Harvey asked when the public could ask questions.

Chair Pearce said the Task Force would take questions at the end of the staff presentation.

Andrew Shaper indicated he preferred to ask questions during the presentation.

Chair Pearce indicated that the Task Force could pause if anyone had questions that were relevant to the subject matter that was being discussed.

Chair Pearce stated that she would pause now and allow public questions and comments before starting the Specific Plan discussion.

Mr. Shaper indicated that someone may not be able to afford to maintain their home and questioned how the financial considerations were being addressed with demolition by neglect. He said he didn't need an answer, but was just posing that question.

Chair Pearce said that was a good question.

Jan Bachelor said she would like to second what Jerry Hodnefield said about demolition and mentioned there was someone on St. Mary Street who had intended to save a portion of the house, but ran into dry rot and termite damage so it couldn't be saved. She stated that they did reproduce it exactly as it originally was and said they did run into a problem with the City regarding setbacks.

Brad Hirst questioned when does the 180-day public notification period commence for a building that is proposed to be demolished? He also indicated that is an extraordinary period of time.

Chair Pearce indicated that she believed staff would talk about this matter when the Task Force discusses this portion of the agenda.

Mr. Hodnefield agreed with Mr. Hirst and suggested a maximum of 60 days.

Chair Pearce stated there were no other questions and requested Mr. Dolan to continue with his presentation.

Mr. Dolan indicated that the first Downtown Specific Plan item he wanted to discuss is the paragraph on demolition. He indicated that the first half of the paragraph already exists in the Specific Plan and staff did not change it. The only item that was added was the last two sentences dealing with the new definition of demolition. He stated that the 180-day notification period is already in there. He stated that if the Task Force wanted to change that time period, then the Task Force needs to talk about it.

Mr. Hodnefield stated from a real world perspective, the 180-days is too long when large sums of monies are being held up.

Paul Martin questioned when the time period would start.

Mr. Dolan indicated it would start when the application for a demolition was submitted. Mr. Dolan also indicated that there is currently language in the Code that would need to be changed if the Task Force wanted to modify the notice period.

Discussion ensued regarding on how much to shorten the 180-day notification period and when it would start.

Mr. Dolan indicated that we would include the notification change to the specific plan when it moves forward to Council and any necessary Code changes would following through an implementation program.

Mr. Dolan confirmed that the Task Force was ok with reducing the notification period to 90 days. The Task Force agreed.

Mr. Dolan indicated that the next change to mention was deleting the reference to the DPR form and including language stating that the historic context statement would be used as a resource document for evaluating California Register significance in the absence of a local district or local standard.

There was no Task Force discussion on this topic.

Mr. Dolan indicated that the Council had said it might be interested in creating a local standard and that one of the most basic local standards to establish that is different from the State standard is to establish a year. He added that if a date older than 50 years is selected, he believed that you would still have to comply with the State's rolling 50 year date and wasn't sure what establishing a local date such as 1942 or 1946 would really do since you still had to comply with State law. He indicated that if the City did select a date such as 1946, he's not sure who you would get in trouble with if it was older than the State's 50 year date. He indicated that he believes some Task Force members disagree on the specific date, but staff is neutral on whether 1942 or 1946 is selected as the year.

Mr. Hodnefield indicated he felt 1942 made more sense as after the start of World War II, all of the Country's materials were for the war effort so nothing was really being built, particularly anything of architectural significance.

Ms. Garbarino indicated that if a date is set, it should be looked at periodically, such as every 10 years, as there may be a desire in the future to preserve some of the homes that were built after 1942.

Ms. Krichbaum indicated that people today are demolishing old homes because they love the lot the house is on and not because there is anything wrong with the house.

Mr. Hodnefield indicated there are examples of pre-1942 homes that don't need to be preserved. He indicated that the City should ask a developer wanting to demolish such a structure what it will give in return in terms of the new house design if the house is allowed to be demolished.

Mr. Dolan asked the Task Force if they were ok with selecting 1942 and that the date would be reviewed every 10 years.

The Task Force agreed.

Ms. Krichbaum questioned how selecting 1942 affects the survey.

Mr. Dolan indicated that homes built after 1942 would not be included in the survey, but we will see how many are close to that date and they might be able to be

included in the survey.

Mr. Hodnefield questioned if a property owner could dispute the findings of the survey.

Mr. Dolan indicated that it would be possible for people to dispute the findings and state why the survey was wrong.

Mr. Dolan indicated that the next concept was clarifying what the "immediate neighborhood" meant. Staff has suggested 200 ft. from the boundary of the lot as the immediate neighborhood, but the Task Force could select something else.

The Task Force did not object to staff's language.

Mr. Shaper indicated a 200 ft. distance in his neighborhood will result in a diversity of age, style, and quality of homes. He questioned how this would be addressed.

Chair Pearce indicated that is a good point and that the third paragraph regarding exceptions is in there to address such a situation.

Mr. Dolan indicated that the next issue to address was building height compatibility. He indicated that he was not opposed if the Task Force wanted to eliminate the height compatibility standard.

Chair Pearce indicated that she liked the concept of item no. 6 as it provides the people making decisions some direction.

Mr. Dolan asked the Task Force to confirm that it liked the idea of creating a height standard, but staff's language needs some work.

Ms. Garbarino indicated that what the Task Force needs to address is ensuring that new homes in historic neighborhoods not be offensive to the neighborhood until it is too late and they are almost finished. She felt that language needed to be included that addressed that.

Mr. Hodnefield indicated that using story poles is a good way to go.

Mr. Dolan indicated that staff tries to get developers to install story poles, but they often decline to do them.

Mr. Hodnefield indicated you could add a code requirement that anything over one story would be required to have story poles.

Ms. Garbarino and other Task Force members agreed.

Mr. Dolan indicated that the type of story poles would need to be specified as there are various levels of quality of story poles.

Ms. Garbarino indicated that staff would have the knowledge on what to specify.

Mr. Dolan questioned if requiring story poles would eliminate the need for a compatibility standard. The Task Force said no.

Mr. Dolan indicated that the currently presented compatibility language may not work based on what Jerry Hodnefield raised in his letter because if you average a neighborhood of one- and two-story homes, you end up with a weird number that doesn't make sense. Mr. Dolan stated that the exception section could cover such a situation. Mr. Dolan then read the exception section.

Mr. Dolan then described the proposed language for FAR compatibility.

Chair Pearce liked the FAR compatibility language and noted that it would also include the exception section.

Art Dunkley indicated that section five or "S" indicates that if you are allowed to demolish a house, then the new house design has to be compatible with the character and elements of the surrounding homes and not itself. He stated that if you demolished a historically significant house, then you should be required to use the architectural style of that house, not the surrounding homes, which could have been built in the 1950's.

Chair Pearce said that was a point well taken.

Mr. Dunkley suggested encouraging the new home match one of the pre-1942 architectural styles listed in the context statement and to streamline the process if you complied.

Several Task Force members agreed.

Mr. Dolan indicated that he likes Mr. Dunkley's idea and stated that everyone needs to understand that you couldn't complain if there are four Victorian homes in a row and someone wants to put a Craftsman in the middle.

The Task Force was supportive of Mr. Dunkley's suggestion.

Mr. Dolan indicated that staff will pull out the compatibility of architectural style language and list the architectural styles that are acceptable to use.

Mr. Dolan asked if the Task Force was ok with the language regarding bulk. The Task Force agreed with the language.

Mr. Shaper questioned if the architectural styles would apply to high density residential development and if it was possible to design a high density residential project that conformed to the styles.

The Task Force said the styles would apply to high density projects and that it was possible for a high density residential project to conform to the architectural styles in the context statement.

Mr. Dolan indicated that Chapter 10 discusses design and one issue that had come up on a couple of occasions was whether the garage had to be located in the rear of the lot. Mr. Dolan indicated there comes a point when the lot is too narrow to reasonably locate a garage in the back and staff had struggled with this on the Cunningham project, although that project was unique in that it had two dwellings on one large lot. Staff added a 45 ft. dimension to the existing Design and Beautification policy.

The Task Force was agreeable with the added language.

Mr. Hirst asked for clarification on the policy and whether that would result in a 30 ft. wide house if the driveway was 10 ft. and the other side setback was 5 ft.

Mr. Dolan stated that was correct.

Mr. Byrd indicated he backs out one of those every day and that it's crazy to put the garage all the way in the back because nobody is going to be able to back out all the way to the street on a 10-ft. wide driveway. He indicated that you need at least a 12-15 ft. wide driveway.

Mr. Dolan acknowledged that 45 ft. is as low as he would recommend and indicated that he would be ok if it were changed to 50 ft.

Discussion ensued on the minimum lot width.

The Task Force decided to change the draft language to 50 ft.

- **Draft Amendments to the Downtown Design Guidelines.**

Mr. Dolan indicated that he wanted to address some issues that have come up in recent projects; one issue has been the use of metal roofs. He read the suggested design guideline that addressed metal roofs.

Ms. Garbarino indicated that a recycled water system shouldn't be the only time a metal roof could be used. Mr. Dolan indicated that requirement could be taken out. The Task Force agreed to remove the language after "approved."

Mr. Dolan indicated that the next issue that comes up over and over again which he would like to resolve is whether windows can be replaced and, if wood windows are replaced, can they be replaced with vinyl-clad wood or vinyl. He indicated that the suggested language would allow someone to replace wood windows if they were dead set on it, but the replacement windows would have to look like an old wood window.

Ms. Garbarino indicated the key is if the replacement window looks good and has the mullions. She indicated that there are vinyl-clad and fiberglass windows that are done well.

The Task Force was ok with the suggested language.

Ms. Krichbaum indicated that a key to it is do we have design guidelines below 10 ft. as you can't say anything about the windows if the design guidelines don't apply below 10 ft.

Mr. Dolan indicated that the Task Force will need to discuss that, but there are plenty of times where the city does have authority.

Chris Bourg questioned whether the "profile" language in the guideline takes into consideration the depth of mullions. Mr. Dolan and Chair Pearce indicated yes.

Ms. Garbarino indicated that mullions should appear real and be on both sides of the

glass. Mr. Dolan confirmed that that guideline already exists in another section.

Mr. Hirst questioned whether the guidelines apply to all dwellings within the designated area or just dwellings that are designated as historic homes.

Mr. Dolan indicated that the guidelines already exist and we are adding some additional language. He added that the guidelines apply to all homes, but needs to think some more on how the window guideline would apply to a 1950's house. He stated that a 1950's home would probably be replacing an unattractive aluminum-clad window with vinyl clad so there wouldn't be an issue.

Discussion ensued on the window guideline.

Chair Pearce indicated that this specific section could be qualified by indicating it only applies to historic homes. The Task Force agreed.

Mr. Bourg questioned if the window standard would apply to a home that was replacing a home that was demolished.

Mr. Dolan indicated that was a good question and he would need to give it some thought.

- **Local Standards of Significance.** Mr. Dolan stated that his understanding of Council's opinion was there was not broad support for it, but there are some things that the Task Force could consider recommending, but his advice is to walk gently.

Chair Pearce agreed she did not hear Council support for it and suggested that the Task Force use the context statement, work on modifying the Downtown Specific Plan, create the definition of demolition, etc., and veer away from the concept of local standards as much as it pains her to say so.

Ms. Krichbaum indicated we don't even know what the local standards would be.

Ms. Garbarino indicated that Livermore's could be floated in front of Council as they are generic.

Mr. Dolan indicated that Livermore's are pretty benign, but advised the Task Force to walk cautiously on this item. He indicated that you could adapt something like Livermore's and include a date and make a reference to the context statement.

Mr. Hodnefield stated he agrees with Chair Pearce's observation that there is no Council support for local standards.

Chair Pearce said there is no support for it and with the date, the historic context statement, the definition of demolition, and the changes to the Downtown Specific Plan you end up with a de facto local standard.

Mr. Dolan asked Chair Pearce if there was task force consensus on that direction.

Chair Pearce asked the task force and then confirmed there was consensus.

Ms. Krichbaum indicated that in other words we will end up with local standards.

Mr. Hirst asked for clarification on the task force consensus.

Chair Pearce said that they talked about the fact that there was no Council support for local standards, so we are not going to have that conversation, except for the date. She said that the date will be a de facto local standard because the State's rolling 50 year date would not be used.

- **Other Items.** Mr. Dolan indicated that there are a few outlying issues that he needs to talk about. He indicated the first item he wanted to discuss was design review under 10 ft. He understood that some Task Force members wanted to try to ask Council again to support it. He stated if the Task Force wanted to do that, he would suggest that the Task Force just make a recommendation that staff and the Planning Commission work on it so that it doesn't hang up the other Task Force items.

The Task Force agreed.

Mr. Dolan indicated that the other item that falls into this category is the Mills Act. He suggested that the Task Force also recommend to the Council that staff contemplate that, provide some more information, and educate Council down the road.

The Task Force agreed.

Mr. Dolan indicated the last item was Ms. Cruzan's request to include the north side of Stanley Boulevard in the neighborhood in the specific plan, which would be an amendment to the specific plan. He indicated that he didn't necessarily have a problem with it if it only included the old homes.

Ms. Garbarino indicated that there are some nice single-family homes in the classic style on the north side of the street and it makes sense to include the full street.

The Task Force supported adding the older homes on the north side of Stanley Boulevard, excluding the DiDonato home.

Mr. Dolan indicated that staff would do some sort of a map and run it by the Task Force.

V. Matters Initiated by Task Force

There were none.

VI. Summary and Next Steps

- A. Summary of the Meeting, Next Steps, Review of Next Meeting Topics

No comments were made.

- B. Future Meeting Dates:

Mr. Dolan indicated that the next Task Force meetings were August 29th and September 19th, but we may need to push back the September 19th date, which would be discussed at the next meeting.

The meeting was adjourned at 8:25 p.m.

For further information, contact Steve Otto at (925) 931-5608 or sotto@cityofpleasantonca.gov.