

## Planning Commission Staff Report

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September 14, 2011  
Item 6.c.

**SUBJECT:** P11-0716/P11-0714

**APPLICANT /  
PROPERTY  
OWNER:** Justin and Jalayne Ladd

**PURPOSE:** Applications for: (1) Downtown Specific Plan Amendment to allow the demolition of primary buildings in the Ray Street/Spring Street neighborhood if the buildings are not found to be “historically significant”; and (2) Design Review approval and Certificate of Appropriateness to demolish the existing dwelling and detached storage building and to construct an approximately 2,877-square-foot single-family home and an approximately 3,283-square-foot detached workshop and three-car garage.

**GENERAL PLAN:** Retail / Highway / Service Commercial. Business and Professional Offices.

**ZONING:** C-C (Central Commercial) District, Downtown Revitalization, Core Area Overlay District.

**LOCATION:** 225 Spring Street

**Exhibits:**

- A, Draft Amendment to the Downtown Specific Plan
- B, Draft Conditions of Approval
- C, Site plans, and Floor Plan dated “Received, August 29, 2011”
- D, Excerpt of the Downtown Specific Plan (pg. 67)
- E, Historical Assessment (DPR Form)
- F, Pleasanton Heritage Association email dated September 1, 2011”
- G, Downtown Design Guidelines (pg.40)
- H, Downtown Specific Plan Adoption Planning Commission and City Council meeting minutes
- I, Location Map
- J, Noticing Map

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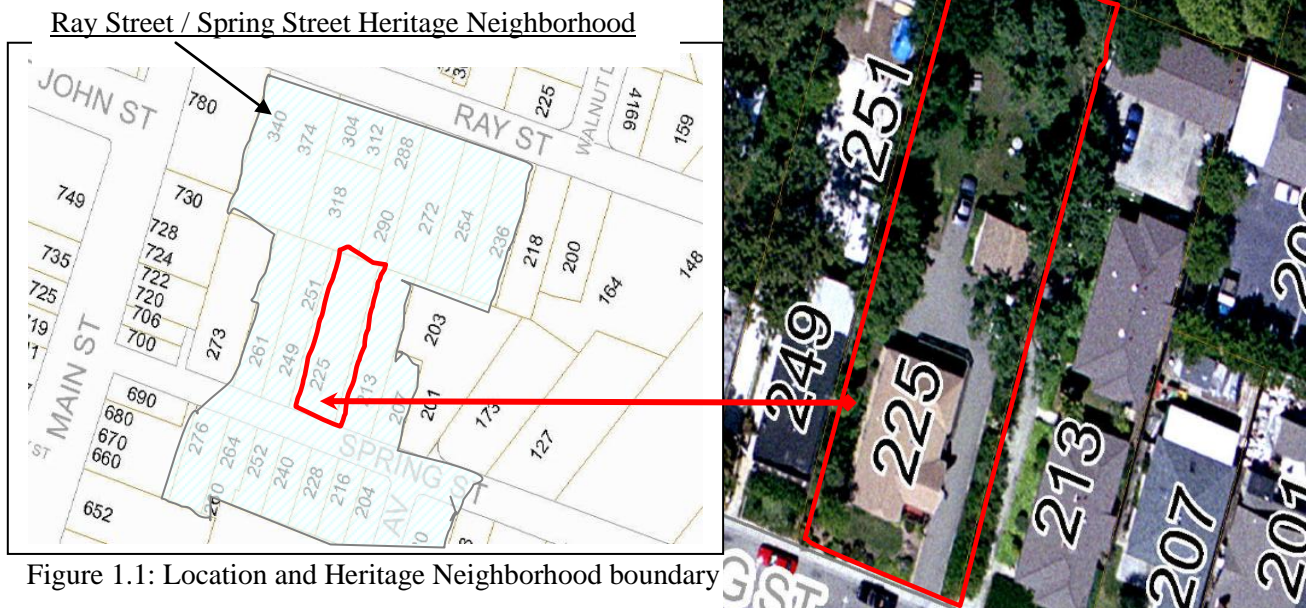
## BACKGROUND

The applicants, Mr. and Ms. Ladd, began working with staff in early 2010 on a proposal to redevelop the site located at 225 Spring Street. Staff has worked with the applicants on design elements for both the main structure and the new detached workshop/garage, and an historical evaluation of the property was prepared by Carey & Co. that concluded that although the primary structure retains reasonable integrity, it does not appear to be eligible for listing on the California Register of Historic Resources. However, a policy in the Downtown Specific Plan (DTSP) which pertains to the Ray Street/Spring Street neighborhood would prohibit the demolition<sup>1</sup> and rebuilding of this structure.

In order to proceed with this project the applicant seeks an amendment to the DTSP, approval of a Certificate of Appropriateness for the demolition, and design review approval to construct an approximately 2,877 square foot single family home and a 3,283 square foot detached workshop and three-car garage.

## SITE DESCRIPTION

The subject site was part of a subdivision done prior to the City's incorporation in 1894. The subject site is located within the Downtown Specific Plan (DTSP) area, the Downtown Revitalization District, and the Core Area Overlay District. The neighborhood is commonly known as the Ray Street/Spring Street neighborhood and is designated as a heritage neighborhood (see figure 1.1) by the DTSP and the General Plan. The neighborhood was developed with homes between 1920 and 1940 and is considered to be the City's first "modern subdivision tract."



<sup>1</sup> The applicants disagree with staff's interpretation of their proposal and contend that it represents a remodel rather than a demolition.

The subject site is located 5 lots to the southeast of the intersection of Spring Street and Main Street. Properties adjacent to the subject site are a mixture of residential and commercial uses, (as allowed by the C-C (Central Commercial) zoning district) although the original structures were built as residential homes. The subject site is approximately 13,413-square-feet in area and is 65 feet wide by 202 feet deep.

The site was originally developed in 1931 and with a residence and the detached garage was constructed sometime after 1943. In 1987 the main structure and garage were converted to commercial space. The main structure is a single-story building totaling approximately 1,208 square feet and the detached structure is approximately 452 square feet.

Photo 1 illustrates the current design of the primary structure.



Photo 1: Existing Structure

## PROJECT DESCRIPTION

The applicants are requesting to redevelop the 225 Spring Street site by (1) requesting a Downtown Specific Plan Amendment to allow the demolition of primary buildings in the Ray Street/Spring Street neighborhood if the buildings are not found to be “historically significant”; and (2) requesting Design Review approval and a Certificate of Appropriateness to demolish the existing dwelling and detached storage building and to construct an approximately 2,877-square-foot single-family home and an approximately 3,283-square-foot detached workshop and three-car garage.

Though the applicants are contending that the proposed project is a remodel, staff has determined that the scope of the project is a demolition and rebuild. The only elements of the existing primary structure being retained are the front walls and a portion of the front side wall that includes the fireplace, but even in these areas the exterior design is changed (e.g. the arched porch entry is changed to a squared-off entry) as are the windows and finishes.

Figure 1.2: Existing walls to remain

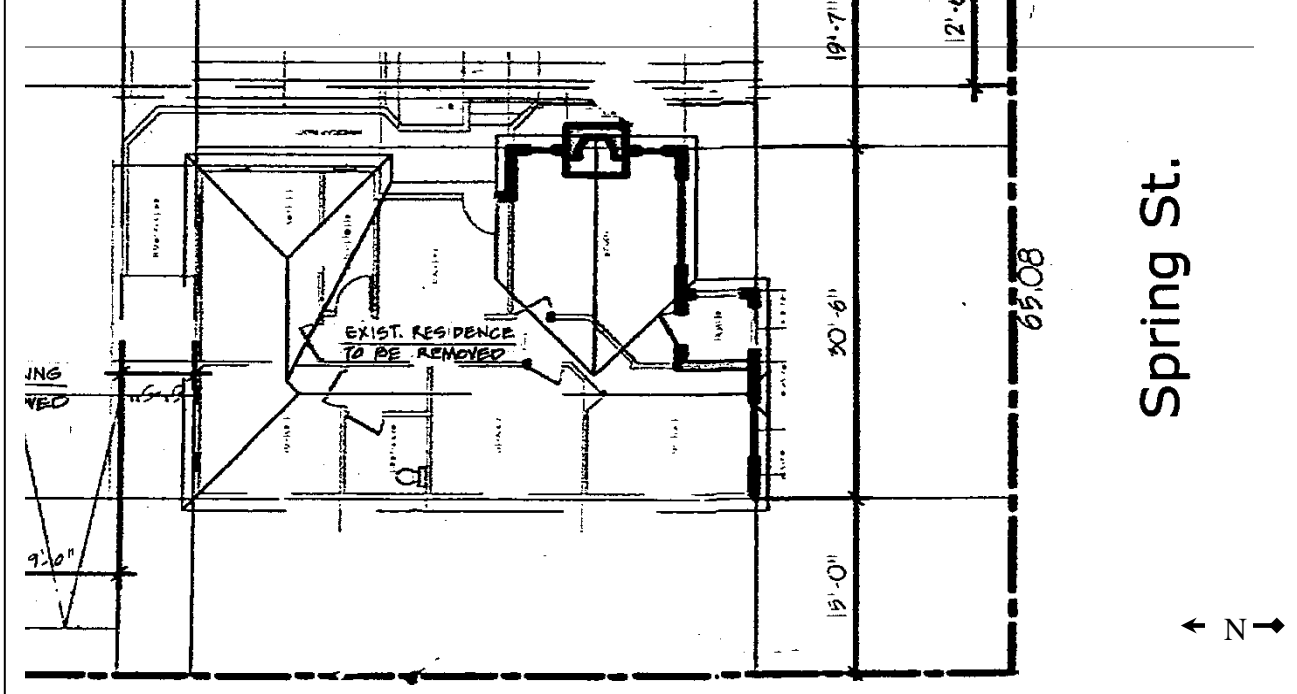


Figure 1.2 illustrates the existing walls to remain with the solid black lines. The small proportion of the existing structure retained compared to the far larger extent of new construction led staff to consider this project as a demolition.

### **DOWNTOWN SPECIFIC PLAN AMENDMENT**

The property is located within the heritage Ray Street / Spring Street neighborhood as defined by the Downtown Specific Plan (DTSP). Policy 4 in the section headed Modifications to Historic Buildings (p. 6 of the Downtown Specific Plan) states:

*Prohibit the demolition of primary buildings located in the Ray Street / Spring Street Neighborhood unless such buildings are considered to be unsafe or dangerous and if no other feasible means of rehabilitation can be achieved. These buildings may be retained in residential use or may be converted to another permitted or conditionally-permitted use as long as the primary building's exterior is preserved.*

Staff does not believe that the existing structures are currently “unsafe or dangerous.” In the past, staff has applied the 50% Rule to determine “if no other feasible means of rehabilitation can be achieved”. The 50% Rule consists of a rehabilitation cost estimate, where a contractor would provide an assessment of the condition of the building and estimate of the costs to rehabilitate the structure. If it is found that the rehabilitation costs are more than 50% of the value of the structure, it would be determined that the rehabilitation of the structure is beyond feasible means to retain the existing structure.

Staff met with the applicants regarding this approach and it was agreed that the structure's condition if compared to a rehabilitation estimate would not meet the 50% Rule. Thus, an amendment to the Downtown Specific Plan would be needed to approve the proposed project.

Staff believes the following rewording of Policy 4 would ensure retention of any structures which are deemed historic through a professional evaluation, while allowing modifications and re-investment in properties in keeping with the character of the neighborhood:

*Prohibit the demolition of primary buildings located in the Ray Street / Spring Street Neighborhood unless such buildings are considered to be unsafe or dangerous as determined by the Chief Building Official, and if no other feasible means of rehabilitation can be achieved, or if the building is not found to be historically significant, and the proposed replacement building is compatible with the neighborhood and conforms to the Downtown Specific Plan and the Downtown Design Guidelines. These buildings may be retained in residential use or may be converted to another permitted or conditionally-permitted use as long as the primary building's exterior is preserved.*

### **Certificate of Appropriateness**

In addition to the Specific Plan amendment, to allow demolition, the Planning Commission must approve the request, as outlined in Sec. 18.74.170 of the Pleasanton Municipal Code:

#### **18.74.170 Certificate of appropriateness required for demolition or removal.**

*No person shall demolish or remove an existing structure, including a structure of primary or secondary significance, without first obtaining a certificate of appropriateness from the planning commission. Structures of primary or secondary significance are those determined to be so by the city council, from time to time, and adopted pursuant to the regulations governing adoption and changes in the downtown Pleasanton design guidelines. [...] The commission has the authority to deny a certificate of appropriateness or to delay the issuance of the certificate in accordance with the standards set forth under Section 18.74.190 of this chapter. The commission may delay issuance for 90 days for a structure of secondary significance and 180 days for a structure of primary significance. (Ord. 1586 § 7, 1993; Ord. 1225 § 1, 1985; prior code § 2-2.3417)*

#### **18.74.190 Standards for review for demolition.**

*If the commission finds that: (1) the proposed demolition of a structure would be inappropriate or inconsistent with the purposes of this chapter, or that (2) the proposed demolition would have an adverse effect on adjoining property, or on the built context, or that (3) the proposed future use and design of the property would be inconsistent with this chapter or the adopted guidelines, then the commission shall deny the certificate of appropriateness, unless the applicant establishes to the satisfaction of the*

*commission that there is unnecessary hardship in the strict application of this chapter. To establish hardship, the applicant must show that no reasonable use of the property can be made unless the structure is demolished. The applicant must also show that the hardship is the result of the application of the chapter and is not the result of any act or omission by the applicant or the applicant's predecessor in interest. If the commission finds that such unnecessary hardship exists, it shall approve the certificate of appropriateness unless the proposed demolition would alter the essential character of the built context. In such case, the commission shall delay issuance of the certificate for 180 days for structures of primary significance and 90 days for structures of secondary significance. During the delay period, the commission shall take such action as it deems necessary to preserve the structure. Such action may include negotiations with civic groups, public or private agencies or individuals for the purchase, lease or relocation of the structure. The Commission may also suggest eminent domain proceedings be initiated by the city council. (Ord. 1586 § 9, 1993; Ord. 1225 § 1, 1985; prior code § 2-2.3419)*

Staff believes the proposed demolition and reconstruction of the main structure and the workshop/garage would be compatible with the scale and design of the neighborhood (see additional discussion on the proposed design, below), and would be consistent with the appropriate guiding documents, assuming the proposed DTSP amendment is approved.

### **Design Review**

The property is Zoned C-C (Central Commercial), which affords the property zero lot line setbacks and a Floor Area Ratio of 300%. The proposed redevelopment of the site will result in a Craftsmen-style house at the front of the property and detached workshop/garage at the rear of the property.

The proposed project is generally consistent with the scale of buildings and materials used in the surrounding residential neighborhood. The applicants have incorporated a 5-foot setback along the left side of the main residence and a 12-foot setback along the right side, thus maintaining the existing driveway placement. The workshop/garage located at the rear of the property has smaller setbacks (4-foot on the sides and 5-foot on the rear), but they exceed the zero lot line setback allowed by the zoning.

The proposed floor area ratio (FAR) is 42%, which is consistent with some existing residential developments in the Downtown area<sup>2</sup>, is less than some developed parcels adjacent to the subject site<sup>3</sup>, and is substantially less than the 300% allowed on this site by the zoning regulations.

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<sup>2</sup> The St. John's development (properties located on St. John Circle and St. John Court) averages 43% FAR, 644 St. Mary St has a 56% FAR, and 444 St. Mary Street has a 50% FAR

<sup>3</sup> 240 Spring St has 56% FAR and 216 Spring Street has 64% FAR

The topography of the site is unique, in that it slopes steeply up at the front of the lot, levels for a short area, then slopes down toward the back. The topography enables the workshop/garage to be significantly screened from the street. Thus, staff believes that the mass, height, and bulk of the structure will be screened, and therefore, compatible with the neighboring structures on Spring Street. Additionally, the applicant has agreed to revise the entry columns to have wood posts and to incorporate some stone treatment onto the base of the entry columns, and revise the front elevation windows to be double-hung windows.

The project site is subject to the Downtown Design Guidelines (Exhibit G). Page 40 of the guidelines specifies that Spring Street and Ray Street projects should retain original porches and entryways, roof forms, wall materials, trim, and architectural details, as well as maintaining front and side yard landscaping. Additionally, remodels should match the original window material and pattern. The applicants are proposing to rebuild the entryway in the same location and form as the existing entryway, with the exception of changing the existing arch over the steps. The trellis detailing, window placement, and architectural details are being carried over to the new design.

### **Comments from the Community**

The Pleasanton Heritage Association (PHA) believes that the proposed changes to the appearance of the structure are appropriate for this site and an improvement for the context of the neighborhood in regards to both quality of design and integrity for the sense of place. The PHA also had no objection to the proposed amendment to the DTSP.

### **Historic Evaluation**

The applicants paid for a historic evaluation of the structure prepared by Carey & Co., architectural historians (Exhibit E). The assessment of the structures indentified modification to the fascia in 1966 and a conversion of the site from a residential occupancy to a commercial use in 1987. It also noted that changes to the window were made. An overall rating concluded that the structure does not appear to meet the historic criteria related to association with an event, lives of persons significant to history, or an individually outstanding example of an architectural style. The assessment concludes by stating that the site has reasonable integrity, but it does not appear eligible for the California Register. It does not appear to be eligible for listing, either individually or as part of a district, in the relevant registers.

### **PUBLIC NOTICE**

Notices regarding the proposed Conditional Use Permit application and related public hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of project site. A map showing the noticing area can be found in Exhibit J). At the time this report was prepared, staff had received comments from the Pleasanton Heritage Association (PHA) in support of the project (Exhibit F), but no other public comments were received.

## **CONCLUSION**

Staff believes that the proposed amendment to the DTSP will allow for revitalization of this area while still protecting the neighborhood character. The proposed design of the replacement buildings is consistent with the Downtown Design Guidelines and the requirements of the Central Commercial zoning district.

Staff acknowledges that this proposed amendment to the DTSP is being considered outside of the planned comprehensive review of the DTSP and Design Guidelines. As the applicants have been working with staff on this project since early 2010, and it is not inconsistent with the goals of the overall review, it appears reasonable to move this project forward without further delay.

## **ENVIRONMENTAL ASSESSMENT**

The construction of the new home and detached workshop/garage is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15303, New Construction or Conversion of Small Structures, Class 3. The amendment of the Downtown Specific Plan is exempt from environmental review pursuant to California Environmental Quality Act Guidelines (CEQA), Section 15061(b(3)), which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Staff finds that the amendment to determine the historic significance of a project site before approving the demolition of the structure(s) will provide the certainty that the structure(s) do not have historical value. Thus, this implies that there will not be any impacts to the historical resources within the heritage neighborhood of Ray Street/ Spring Street.

Therefore, no environmental documents accompany this report.

## **STAFF RECOMMENDATION**

Staff recommends the Planning Commission take the following actions:

1. Adopt a resolution recommending approval to the City Council of an amendment to the Downtown Specific Plan as shown in Exhibit A, and
2. Adopt a resolution approving a Certificate of Appropriateness and Design Review application (P11-0714) to demolish the existing home and detached storage building at 225 Spring Street and to construct an approximately 2,877-square-foot single-family home and an approximately 3,283-square-foot detached workshop and three-car garage, subject to the City Council approval of the Specific Plan Amendment.

Staff Planner: Rosalind Rondash, Associate Planner, (925) 931-5607, [rrondash@ci.pleasanton.ca.us](mailto:rrondash@ci.pleasanton.ca.us)