



CITY OF BELMONT MEMORANDUM

TO: Planning Commission

FROM: Dia Swan, Associate Planner/ Housing Specialist

VIA: Craig Ewing, Community Development Director

SUBJECT: February 15, 2005 Planning Commission Meeting – Agenda Item 5b
Application No. PA2003-0099 - 1405 Solana Drive
Mitigated Negative Declaration and Conceptual Development Plan to construct an activity center building and an addition to an existing multipurpose building

PROJECT SUMMARY

The applicant requests approval of an amendment to the Conceptual Development Plan for the Charles Armstrong School at 1405 Solana Drive. The proposed Conceptual Development Plan would allow new school activities and construction of approximately 15,600 square feet of additional gross enclosed floor area to the existing 29,540 square foot private school campus. The proposed additions would include the construction of a new 14,700 square foot Activity Center with a 900 square foot addition to the existing multi-purpose building. The maximum height of the proposed building would be 34 feet (current building heights range up to 27 feet).

Vehicular access for the site would continue from the existing Solana Drive driveways. The number and configuration of the existing on-site parking areas would not be changed with this project. A more complete project description was provided in the staff report of November 16, 2004. This memorandum supplements that report.

The Commission previously reviewed the proposal on November 16, 2004, January 18, 2005 (see Attachment 1 for 1/18/05 staff report), continuing the item and requesting responses to the following questions (See Attachment 2 for questions); the responses follow below. The public hearing opened on November 16 was closed on January 18, 2004. No public hearing is scheduled for this item; however, anyone wishing to speak on the matter must be allowed to do so.

COMMISSION QUESTIONS

The following questions were posed by the Commission at the January 18, 2005 meeting. Staff provided this list of questions to the Commission on January 19th and no corrections or comments were offered in response. The list of Commission questions was relayed to the applicant on January 21st. The following applicant responses are verbatim.

1. What is the size of McDougal Park: 1.5 or 3.0 acres?

Staff:

The gross acreage of McDougal Park is 3.01 acres. This includes the hillsides and unimproved areas on the perimeter of the site. The actual usable park acreage is closer to 2 acres. The 1.5 acre figure is the turf area.

2. Is the utility easement on CAS' or neighbor's property?

Applicant:

There is a 10' PG&E easement running the length of the southern property line, located on the CAS side. This easement burdens property owned by the School for the benefit of utility companies supplying utilities to the public.

3. What does ADT mean?

Staff:

ADT means average daily traffic.

4. Is the square dancing offered on Wednesday night limited to senior citizens?

Applicant:

I have spoken with Daisy M. Eichman of Redwood City who is a member of the Peninsula Squares. Peninsula Squares is a group of senior square dancers. Daisy has been a member for approximately six years, and she vouches that all the members are over 65 and that a great many of their members are in their 80's.

Staff:

Staff reviewed the Peninsula Squares website information and spoke to Daisy Eichman to learn that the Peninsula Squares is a private square dancing club. Their members are currently senior citizens but their club bylaws do not limit age. Mrs. Eichman provided that the Peninsula Squares have been dancing at CAS for six and a half years.

5. What is the cost to CAS to maintain voluntary access to MacDougal Park?

Applicant:

The question is confusing. CAS is contractually obligated to allow public access across its property limited to the driveway/road and the adjacent parking lot. The School permits the public access to restrooms, the paved playground in conjunction with the public's use of

McDougal Park. The School does not ordinarily account for the cost of maintaining individual bathrooms or outdoor space and does not differentiate between the contractually mandated upkeep of the property and the permissive use of the added areas. The annual dollar amount attributed to direct operation and maintenance due to public access to McDougal Park is estimated at \$5,500. This amount includes the use of the bathrooms, picnics tables, playground equipment and ball court area. It is almost impossible to define the individual costs. The factors include liability insurance, janitorial, utilities, contribution to maintenance reserves for roadways and related overhead.

6. Does the Charles Armstrong Teaching Institute (CATI) operating on the Solana Drive campus comply with the approvals granted by the City of Belmont?

Staff:

Staff reviewed the wording of all applicable CDP, DDP, CUP and DR project approvals for Charles Armstrong School along with the table of controlling conditions of approval (see attachments 4 and 5) and found no language that either permitted or prohibited the operation of a teaching institute.

Thus far, the existing record of application requests, approvals and conditions of approvals include general operation standards, such as the number and location of parking spaces, number of students, and school policies regarding campus traffic; they do not specifically identify elements of school operation that would determine if the teaching institute was permitted. This CDP amendment request provides an opportunity to clarify the nature and scope of the school's operation and to create a base line for clear understanding and future oversight.

It appears that teacher-training courses have operated for some time at this facility. The applicant asserts in attachment 6 that CATI was created in 2003 to formalize educational outreach. Staff found no evidence that the CATI courses have been conducted on site since 2003 but clearly other on-site training has occurred. Staff believes that only one 2002 condition of CUP approval is applicable to instructional activities such as CATI: "No Charles Armstrong School students shall drive to school; during school operating hours, the 70 required parking spaces are intended for school employees and school visitors". With respect to the requirement that "No Charles Armstrong School students shall drive to school", staff believes the students of the Teaching Institute are a different population than children attending CAS and are not CAS students as envisioned by the condition.

Second, staff understands from conversations with the applicant that the CATI workshops and conferences have primarily been conducted off site (see attachment 7 for a CATI Location and Attendance Report) and on the occasions that parent and teacher training sessions were on campus, the participants were considered school visitors. Based on the generic descriptions of the applicable zoning entitlements and the determination that adults are "visitors" to the site, staff believes the CATI and training courses have been operating within existing approvals.

7. What mitigations were implemented by CAS for \$600,000?

Applicant:

The School used the term mitigate in its response to one of the Commissioners questions. In its context the word mitigate meant to make or become less severe or painful. Therefore, when calculating the cost of mitigations to date, the School took the position that all costs incurred after the development of the original Master Plan and the original neighborhood presentation were mitigating costs as the School took the neighbors concerns seriously and:

- A. hired a new architectural firm whose experience is in designing buildings that would enhance the school's community as well as the larger community;*
- B. changed program venues;*
- C. re-designed the building;*
- D. relocated the building;*
- E. spent additional dollars trying to make the project feasible for the neighborhood and the school.*

The following is a breakdown of those costs:

<i>Development of New Campus Plan and Redesigning</i>	<i>\$403,189</i>
<i>Improvement of Lower Parking Lot including lighting</i>	<i><u>\$229,876</u></i>

<i>Total</i>	<i>\$633,065</i>
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8. What is the difference between a development "right" and a development "privilege"?

Attorney:

"In making development decisions, the City must determine whether the project complies with the law, including all applicable State and City ordinances. If the Planning Commission and the City Council find that it does comply, and the project is approved, ultimately the developer may acquire a "right" to build the project. Until that time, a developer does not have a "right" to build any particular project. In this matter, the Planning Commission must find that "...the change in the district boundaries or of the district regulations is required to achieve the objectives of the Zoning Plan and the General Plan for the City." The staff report of 11-16-04 identified numerous goals, policies, and elements of the Zoning Code and General Plan, and analyzed whether such a finding can be made with respect to each such goal, policy, and element. If the Planning Commission can make these findings, then it should recommend approval of the proposed amendment to the PD zone. If it cannot, then it should recommend denial of the proposed amendment."

9. Is the Charles Armstrong Teaching Institute a more intensive use?

Staff:

Evidence suggests that although CATI has not occurred on site, other parent and teacher training sessions have for some time (see attachment 8 for 1980's CAS brochure). To answer this question staff will compare all on-site training, as provided by the applicant in the following table of information:

Training/ CATI	Current	Proposed Change
<i>Activity:</i>	<i>Outreach as lectures, seminars, workshops and courses</i>	<i>No change, Move to CAS</i>
<i>Location:</i>	<i>Multi-purpose Room</i>	<i>Activity Center</i>
<i>Time of Year:</i>	<i>Year round</i>	<i>No change</i>
<i>Days of Week:</i>	<i>Monday through Friday</i>	<i>No change</i>
<i>Time of Day:</i>	<i>8:00 am to 9pm</i>	<i>No change</i>
<i>Frequency of use:</i>	<i>Average of twice a month</i>	<i>Three times a month</i>
<i>Attendees:</i>	<i>Typically 50 or less</i>	<i>Approximately 70</i>

Based on the applicant's description of current training courses, the increased frequency of the use and attendance will be an intensification of the school's use. Staff believes the proposed training curriculum will be a more intensive use than the existing training.

Should the Commission choose to support the proposal and recommend conditions of approval for the CATI and other training activities, it may consider the following:

- a) Prohibit all training activities at the site (limited to off campus operation)
- b) Limit the hours of the CATI use to evenings and weekends – when campus parking is not being used by CAS.
- c) Require additional parking for the CATI use - The BZO parking standard for Colleges, Universities, and Trade Schools are (Section 8.4.6.c) *One for each employee and one for each 20 students based on the maximum number of students attending classes on the premises at any one time during any 24-hour period.* An additional four parking spaces could be required if the Commission chose to use these parking standards as a reference for CATI.

10. How will CAS rebuild goodwill with the neighbors?

Applicant:

Charles Armstrong School believes that there is goodwill with the neighbors and that the School needs to continue to foster its neighborhood relationship. To build upon the School's goodwill the School welcomes individual neighbors to call, write or e-mail any suggestions

that an individual would like heard. The School Administration will make every attempt to respond within 72 hours.

Charles Armstrong School applied for membership with the McDougal Neighborhood Association in September 2004, and is waiting for an acceptance. As a property owner, the School would like to become an active member of the Association to maintain clear communication between the School and the individual neighbors. The School would like to work as a partner with the neighbors to improve and maintain the quality of life in the McDougal neighborhood while promoting a sense of community.

The School currently hosts an annual Neighborhood Open House, and issues the Neighborhood Quarterly Newsletter. In October 2004 the School invited the neighbors to be its guests at the Schools' Annual Community Picnic and will continue to do the same in future years. The School would be open to future collaboration with the Neighborhood Association in sponsoring other McDougal Homeowner's events.

The School would also be open to creating a School Neighborhood Committee consisting of School Board Members, School Administration and Neighbors. The goal of the committee would be to ensure that neighbor concerns are heard.

The School would be open to allow the community to use its facility as long as the use is in compliance with its Conditional Use Permit.

The School sees these suggestions as positive ways for the neighbors and the School to work together and sustain goodwill.

11. Is the loss of any access to McDougal Park that is voluntarily provided by CAS a basis for amending the access agreement between CAS and the City of Belmont?

Staff:

The existing access agreement between the City and the Charles Armstrong School for access to McDougal Park is not a part of the project or the requested approval. Any existing access to campus drinking fountains, restrooms and blacktop areas that the school has granted to the public and park users in excess of the formal access agreement are voluntary and not required by the access agreement or any existing condition. The construction of the proposed activity center structure would however significantly reduce the size of the blacktop area informally used for parking by both the school use and park users. Rough calculation of the parking potential on the existing blacktop area is 146 spaces; the area of proposed blacktop in front of the activity center structure could accommodate 46 spaces. If the Commission finds that the loss of these parking spaces would affect public use of the park, then it may consider conditioning any approval on formalization of the public's right to use the remaining blacktop area for parking.

12. What are the interior and exterior height dimensions of the existing CAS multi-purpose room?

Applicant:

Exterior dimensions of the multipurpose room: Heights ranges from 14' at the sidewall to 20' at peak. Interior dimensions clear of structure: height ranges from 12' to 18'.

13. What are the interior and exterior height dimensions and total floor area of the Barrett School multi-purpose room?

Staff:

Interior height: 18 feet
Exterior height: 32 Feet
Total floor area: 2,500 square feet + 990 square foot stage = 3,490 square feet

CONCLUSION

The Commission's task for the CDP amendment is to determine if, "...the change in the district boundaries or of the district regulations is required to achieve the objectives of the Zoning Plan and the General Plan for the City" (BZO Section 16.7). Staff's November 16, 2004 report to the Commission included an analysis of all General Plan goals and policies applicable to the proposed change in district regulations, as well as pertinent studies and research. Public meetings were held on November 16th and January 18, 2005 and public meeting testimony was collected.

The Commission must weigh if the school's desired structural and operational changes are more advantageous to the community, and its General Plan, than any negative effects the Commission believes will occur. The November 16 staff report identified numerous General Plan policies that staff believes can be brought to bear on this request, both for and against, addressing educational facilities, neighborhood compatibility, traffic and parking, parks and recreation, noise, open space and other topics. Staff does not believe that it can adequately weigh this complex set of values sufficiently to provide a useful recommendation, and therefore, contrary to our regular custom, no recommendation is offered. However, two observations are noted regarding the General Plan:

1. There are no goals or policies that directly address the view impacts of new development on properties outside the City. The General Plan identifies its planning area as the Belmont City limits, plus some selected unincorporated properties, including the Harbor Industrial Area. Staff found no statement that applies to the Charles Armstrong School project and its potential view effects on San Carlos residents.¹

¹ The General Plan does identify the importance of compatibility of new development in the East Belmont area with patterns of adjacent development in Foster City and Redwood City (Section 1012). Clearly, some thought was given to the effects of development along the City's boundaries. However, there is no policy that directly provides for consideration of view impacts on areas outside the City..

2. Staff reviewed the meeting minutes from both the November 16, 2004 and January 18, 2005 public hearings and concluded that no new testimony was offered that would lead staff to modify its analysis of the General Plan policies as they apply to this request.

ACTION ALTERNATIVES

1. Direct staff to prepare a resolution recommending the City Council **APPROVE** the Mitigated Negative Declaration and Conceptual Development Plan for the Charles Armstrong School.
2. Direct staff to prepare a resolution recommending the City Council **DENY** the Conceptual Development Plan for the Charles Armstrong School.
3. **CONTINUE** review of the Mitigated Negative Declaration and Conceptual Development Plan to assess further investigations as directed by the Commission.

ATTACHMENTS

1. Planning Commission Staff Report Memorandum (January 18, 2005)
2. List of Questions from Commissioners (prepared by staff)
3. Charles Armstrong School response (prepared by applicant)
4. List of CAS approvals and application requests (prepared by staff)
5. Table of Controlling COA's (prepared by staff)
6. CATI Program Pamphlet (prepared by applicant)
7. CATI Location and Attendance Report (prepared by applicant)
8. CAS brochure (circa 1980's)