



Staff Report

PUBLIC HEARING TO CONSIDER A CONCEPTUAL DEVELOPMENT PLAN (CDP) AND REZONE TO ESTABLISH A PLANNED DEVELOPMENT (PD) ZONING DISTRICT, AND MITIGATED NEGATIVE DECLARATION FOR THE RELOCATION AND REHABILITATION OF THE EMMETT HOUSE TO 1000 O'NEILL AVENUE – APPLICATION NO. 2006-0090

Honorable Chair and Board Members:

Summary

The City of Belmont proposes to relocate an existing building (the Emmett House) from a site located at 843 Ralston Avenue (APN 045-182-230) to 1000 O'Neill Avenue (APNs: 045-261-010, -020 and -030) at the northwest corner of Sixth and O'Neill Avenues. The Emmett House is a two-story wood-framed residence originally constructed in about 1885 by Walter Alfred Emmett, who is recognized as one of Belmont's significant historical figures.

The project includes preparation of the receiver site at 1000 O'Neill Avenue with a poured concrete foundation, reconfiguration of the Sixth Avenue intersection with O'Neill, substantial architectural renovation to the building to convert it to two living units, and construction of a two-car detached garage. The renovation of the Emmett House will be consistent with historical photo documentation of the structure in the early 1900's, as well as meeting current code requirements. The Belmont Redevelopment Agency owns both the donor and receiver sites; the donor site (843 Ralston Avenue) is approximately .08 acres in size and the receiver site (1000 O'Neill Avenue) is approximately .29 acres in size.

The General Plan/Downtown Specific Plan (DTSP) designates the donor site as located in the "Commercial Business District" and is zoned as C-2, General Commercial. The General Plan/Downtown Specific Plan (DTSP) designates the receptor site on 6th and O'Neill as Low-Density Residential (RI) and is zoned R-1B/D-1.

The project necessitates City Council consideration and adoption of a Rezoning of the property to a Planned Development District (PD) via establishment of a Conceptual Development Plan (CDP). The Redevelopment Agency has been provided a draft Mitigated Negative Declaration which has been prepared and circulated for public review in compliance with the California Environmental Quality Act (CEQA). The Redevelopment Agency must adopt the Mitigated Negative Declaration prior to City Council consideration of the Rezoning to Planned Development (PD) and associated Conceptual Development Plan (CDP).

The request before the Agency serves as the final legislative act, following Planning Commission review of the proposal (see attached May 15, 2007 staff report). At that 5/15/07 Planning Commission meeting, the Commission adopted two Resolutions by a 6-0 vote (1 absent); the first recommending the Agency adopt the environmental assessment, and the second recommending the City Council approve the Rezone and associated Conceptual Development Plan (CDP) for the PD District. Based on the analysis of the required entitlements for the project, staff recommends the Redevelopment Agency take the following actions:

1. Approve a resolution adopting the Mitigated Negative Declaration.
2. Recommend City Council adoption of an Ordinance approving the Conceptual Development Plan (CDP) and Rezoning of the subject site to Planned Development (PD).

The Planning Commission will be required to subsequently review a Conditional Use Permit to establish a Detailed Development Plan (DDP), Design Review, Grading Plan, Tree Removal Plan, Lot Merger, Street Vacation and Certificate of Appropriateness for the project, predicated upon Agency approval of Item #1 and City Council adoption of #2 listed above.

Prior Actions

Pertinent actions related to the past review of a proposed development this site is as follows:

July 15, 1990 – The San Mateo County Historical Association conducted a Historic Resources Inventory on the Emmett House at 843 Ralston Avenue.

November 1992 – The City Council approves the Historical Landmark status of the Emmett House pursuant to the City’s Historical Preservation Ordinance.

1994 – The Redevelopment Agency purchased the vacant lot at the northwest corner of 6th and O’Neill Avenues. The purchase was funded entirely with RDA Housing funds, resulting in the site being limited to development to 100% affordable housing.

September 1998 – The Redevelopment Agency purchased the Emmett House and site near the southwest corner of Ralston and El Camino Real using a mix of Housing and General Redevelopment Funds. Again, use of Housing Funds for the purchase of the structure obligates development of the Emmett House for affordable housing.

March 1999 – The Redevelopment Agency approves a process for public input on the future use, location and improvement for the Emmett House. The process included public meetings, a list of alternatives, cost estimates, and Planning Commission hearings.

1999-2002 – Discussions and meetings occur between the community, the Planning Commission and Redevelopment Agency concerning the future of the Emmett House.

February 2002 – the Redevelopment Agency directs staff to prepare a plan to relocate the Emmett House to the lot at 6th and O’Neill Avenues. The plan was to include development of affordable units within the house, reconstruction of the exterior porch and widow’s walk, and completing other site improvements necessary to meet applicable Building and Zoning Codes.

November 2002 – the Redevelopment Agency authorizes a contract with Garavaglia Architecture to develop plans and an estimate for relocation and remodel of the Emmett House.

2003 – Staff obtained construction estimate, a survey and a soils/geology report for the relocation and remodel project. A Request of Proposals was also prepared and circulated, but no satisfactory bid was received.

June 2004 – The Redevelopment Agency authorized the preparation of a pro forma analysis of Emmett House relocation and remodel project. The pro forma provided information on a number of issues raised by the project, including affordability, ownership, third party financing and revenue split.

November 2004 – The Redevelopment Agency provides feedback and direction to Staff regarding the findings of the pro forma and a preferred alternative: a two-unit, below-market rate development. Although there was discussion of a for-sale versus a rental development, there was no specific direction from the Board on that issue.

March 2006 – Project review commences on the two-unit alternative. Staff retains the services of Garavaglia Architecture to commence plans for site development.

November 2006 – A draft Initial Study and Mitigate Negative Declaration is circulated and sent to the State Clearinghouse for review. No comments received in challenge of the environmental findings.

December 2006 – Planning Commission reviews the initial development plans during a Study Session. Commissioners recommend such changes as shifting of the house at an angle towards the corner of Sixth Avenue and O’Neill Avenue, reorienting the driveway for access from Sixth Avenue and the reduction of the proposed four-car garage to a two-car garage. Other comments include incorporating a public-serving use on the ground floor.

February 2007 – The Redevelopment Agency provides feedback to staff regarding the community-serving use versus the two-unit residential only uses. Direction to staff was to move forward with consideration of the two-unit residential use, but to incorporate the substantive suggestions from the Planning Commission.

April 3, 2007 – The Planning Commission heard from the City’s consulting geotechnical engineer,

David Schrier from Cotton Shires. Mr. Schrier reported on the high risk to creekbank erosion with placing the proposed driveway along the creek. The Commission determined that the preferred alternatives would place the driveway away from the creekbank.

The Commission directed staff to further examine the historical viability of orienting the Emmett House at an angle on the site. The City’s historical preservation consultant, architect Michael Garavaglia, spoke regarding the importance of siting the house properly to maintain the maximum historic value of a property. Members of the Historical Association in attendance contended that the angled placement of the residential structure would threaten the historic status of the property and would eliminate the possibility that the Emmett House could remain designated as a historic resource.

May 15, 2007 – The Planning Commission considered three site plans: The original layout that fronts the Emmett House on O’Neill Avenue, the slightly angled option requested for analysis by the Planning Commission at the 4/3/07 meeting, and a layout that fronts the Emmett House parallel to Sixth Avenue. After testimony by the City’s historic preservation consultant, members of the historic preservation community, and Planning Commission deliberation, the Planning Commission voted 6-0 (one Commissioner absent) to recommend RDA approval of the Mitigated Negative Declaration and City Council approval of the Rezoning to Planned Development and the Conceptual Development Plan.

Project Description

The ground floor consists of entry stairs, a proposed porch wrapping around two elevations and a two-bedroom residential unit. The total square footage of the residential building is 3,898 square feet including the enclosed porch, open decks and stairway. A single, two-bedroom 1,588 square foot residential unit is located on the ground floor. The second floor contains a single two-bedroom residential unit that is 1,492 square feet in size with a 42 square foot exterior deck. The two-car, detached garage is 608 square feet in size and located near the southwest corner of the site.

Exterior Building Materials/Colors & Design

The relocated and rehabilitated Emmett House will include the provision of architectural features that will be similar to the historic design of the residence. The existing front porch will be replaced with a wrap-around porch that will be clad in wood siding to match the original. The porch would be wrapped with a new wrought iron guardrail extension. A new wrought iron cresting, or “widow’s walk”, is proposed to cap the existing flat roof. The existing asphalt shingle roof would be repaired as needed. The architectural style is consistent with the Historic Architectural Theme Zone of the ATTP/DTSP and the rehabilitation of the historic Emmett House is consistent with the preservation goals of the DTSP and the General Plan. Architectural features include: wood siding, double-hung windows, deck on both the ground floor and second floor, and wood stairways and window frames. The color board to coordinate with the rehabilitation will be evaluated at the Detailed Development Plan (DDP) and the Certificate of Appropriateness phase.

Trees/Landscaping

The proposed landscape plan provides 3,500 square feet, or approximately 26% of the site area, for landscaping that exceeds the required 15%. The City Arborist has evaluated the project, and has determined that four protected, regulated trees may be removed as part of the project development. However, since the initial City Arborist report was completed, a redesign of the proposed sidewalk along Sixth Avenue would allow the existing palm tree and oak tree to remain. The proposed landscape plan will be finalized and evaluated at the time of Detailed Development Plan (DDP). The Arborist Report will be reevaluated if the proposed site design is modified such that the report does not reflect the final proposed design.

The final landscaping plan may include public and private open space areas, so that the creekside will be easily accessible to the public. Seating areas and hardscape areas may be included to provide passive recreation opportunities to the public.

Upon the relocation of the Emmett House to the receiver site on O’Neill Avenue, the foundation and utilities will be removed from the donor site along Ralston Avenue and the site is expected to be improved with transitional landscaping until Staff is given further direction by the Redevelopment Agency regarding the site’s end use. It should be noted that the donor site comprises a small portion of a much larger potential economic development opportunity area known as the “Village Center”. To that end, this target site area is envisioned to include retail and residential uses in combination with a public gathering plaza and open space opportunities.

Discussion

Rezone & Conceptual Development Plan (CDP) Analysis & General Plan Consistency

The single finding required for Rezoning a property (via establishing a CDP) is the determination 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.” (BZO Section 16.7)

The objectives of the City’s zoning regulations are stated in Section 1.1 of the Zoning Code:

Sec. 1.1 PURPOSE – The following regulations for the zoning of land within the City are hereby adopted to promote and protect the public health, safety, peace, comfort, convenience and general welfare, and to provide a precise guide for the physical development of the City.

In determining the appropriateness of the requested Rezoning (and whether it is *required*), the central issue is consistency with the General Plan. To determine that consistency, applicable goals and policies of the Belmont General Plan must be considered in light of this proposal. The Planning Commission determined that such goals and objectives (of the City’s Downtown Specific Plan and General Plan - see below) are achieved by the proposed Rezoning of the subject property to Planned Development.

Downtown Specific Plan - Land Use Element

5.3.2 Land Use Objectives

5.3.2.5 Low Density Residential Objective:

Preserve the character of established low-density residential neighborhoods in the southwestern portion of the downtown.

The proposed project would provide a below-market rate, two-unit residential use through the relocation and rehabilitation of the historic Emmett House and providing a detached two-car garage for use by the tenants. In addition, the public will benefit through the provision of a creekside trail and passive recreation area. Based upon conceptual development plans submitted to the City, the proposed building would be consistent with the Downtown Specific Plan Low-Density Residential Objectives.

The proposed project would develop an existing vacant lot with new residential development, and would support the City’s General Plan objective to preserve the community’s historical resources, stimulate redevelopment efforts by promoting new construction on vacant lands in the downtown, and address the growing housing needs within the downtown specifically, and the Bay Area in general through the provision of two below-market rate rental units within walking distance of major commercial uses and mass transit facilities.

5.8 Low Density Residential Policies

5.8.1 Location Policy. The Low Density Residential District shall apply to those parcels located on the block between Fifth and Sixth Avenues south of O’Neill Avenue, the large parcel located at the western terminus of O’Neill Avenue adjacent to Twin Pines Park, and the small parcels located at the corner of South Road and Hill Street in the northwest corner of the Planning Area, as shown on the Land Use Plan, Figure 3.3.

5.8.3 Development Intensity Policy. Residential development shall be permitted up to an intensity of 8 units per net acre (5,000 square foot lot minimum). One dwelling unit shall be permitted on each lot.

5.8.4 Minimum Lot Size Policy. The minimum lot size shall be consistent with existing parcel sizes within this District.

5.8.5 Setback Requirement Policy. Building setbacks of 15 foot front yard, 6 foot side yard, and 20 foot rear yard shall be provided and maintained to ensure privacy for residential units.

5.8.7 Building Height Policy. The maximum building height shall be 2 stories.

The proposed residential project would be located on northwest corner of the O’Neill and Sixth Avenue intersection, consistent with the provisions of Policy 5.8.1. Furthermore, the project proposes residential land uses that comply with the intention, direction, and spirit of Policies 5.8.3. Using the Policy’s standard of a maximum residential density of 8 units per gross acre, the proposed project’s two residential units would be consistent with the residential density prescribed by the Policy.

The proposed residential development meets DTSP Low Density Residential Objective 5.3.2.5 in that it would further the preservation of character in the established neighborhood and would further preserve and rehabilitate the historic Emmett House in an area with a mix of existing uses. The project, and other projects in the area, may further stimulate redevelopment efforts and address the growing housing needs within the City at a location southwest of the Village Center.

Policy 5.8.7 provides clear direction for building height limitations in Low Density Residential districts. The project’s two-story structure would comply with the policy’s provision for a maximum permissible height of two stories for residential buildings in the Downtown Specific Plan Area.

General Plan - Residential Areas

Goal 2006.1

To encourage location of new multiple family housing in relatively flat areas which have good access, service availability and compatible adjacent uses.

The proposed development is sited on land that is essentially flat, with the exception of the Belmont Creek area. The site is served by all utility providers and affords adequate ingress/egress and traffic circulation for commercial tenants/customers, residents of the units, and emergency services. The site is in close proximity to both commercial and residential uses which are compatible with the proposed two-unit residential project.

Goal 2006.5

To enhance the appearance of new housing development through site planning, design and landscaping.

The proposed site design would front the Emmett House parallel to O’Neill Avenue. This orientation will provide an elegant entrance into the neighborhood.

Policy 2007.2

A variety of types and densities of residential uses should be provided to meet the needs of the different lifestyles and incomes of the people who live in the community.

The proposed development would be compatible with the character of the surrounding neighborhood. In particular, the proposed two-unit residential development will be consistent in relation to traffic generation, parking, and noise associated with existing uses in the area. The site location is close to both public transportation and commercial services. The project will add to the variety of neighborhood-serving commercial, institutional and residential character of the area. The provision of housing is necessary to provide alternative residential uses for the area and increase the

housing stock for the City. The proposed development will provide greater opportunities to meet the different lifestyles and incomes of people living within the development and community.

Based on the above discussion, the Planning Commission believed a specific finding could be made that the proposed Rezone of the subject site to Planned Development achieves the goals and objectives of the Zoning Ordinance and General Plan for the City.

Conceptual Development Plan Findings

As discussed above, the proposal entails rezoning the site from R-1B/D-1 Single-Family Residential/Design Control Combining District to Planned Unit Development (PD) which, as stated in Section 12.1 of the Belmont Zoning Ordinance, *“is designed to accommodate various types of development such as single-family residential developments, multiple housing developments, neighborhood and community shopping centers, professional and administrative areas, commercial services centers, and other uses or a combination of uses which can be made appropriately as part of a Planned Unit Development”*.

The PD zoning district allows flexibility of design in accordance with the goals, policies, and objectives of the General Plan. This rezoning also allows for flexibility in meeting the strict interpretation of the Zoning Ordinance, provided the project is well designed, includes a favorable balance of open space to developed area, is sensitive to existing terrain, and is compatible with surrounding uses.

In order to approve the proposed zone change to PD with the accompanying conceptual development plan, the following findings must be made:

- 1. That the total development in each individual unit therein can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to the present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.**

The proposed development can remain an independent project without disturbing neighboring uses, since the project will be conditioned through performance standards and adherence to mitigation measures required in the Mitigated Negative Declaration. The objective of the RL Downtown Specific Plan designation and the R-1-B zoning district is to encourage a mix of residential uses in the downtown area. The proposed development will provide needed residential housing and be compatible with existing uses in the neighborhood. Finding number one can be made in the affirmative.

- 2. That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and the density will not generate traffic in such amounts as to overload the street network outside the PD District.**

The location is in close proximity to a state highway and is bordered by local streets, is within easy walking distance to mass transit (SamTrans and CalTrain), and will be connected to the Village Center and neighboring downtown area by pedestrian-friendly sidewalks. On-site parking is adequate for the residential tenants and ample off-street parking is located on the driveway and garage approaches. The proposed use will not place an undue burden on existing transportation, utilities or services in the vicinity. The proposed use is served by two public streets, Sixth and O’Neill Avenues that are of capacity to carry the traffic generated by the proposed residential use. Staff believes this finding can be made in the affirmative.

3. That any proposed commercial development can be justified economically at the locations proposed, to provide for adequate commercial facilities of the types proposed.

The subject property is designated Residential-Low Density (RL) by the DTSP which encourages a mix of residential types and affordability levels. Such residential uses will support nearby commercial development; however, no commercial development will occur on the subject site. Finding number three can be made in the affirmative.

4. That the economic impact created by the PD District can be absorbed by the City (police and fire service, water supply, sewage disposal, etc.).

The proposed development will not significantly increase the City’s costs in providing services to the project site, and the City will be able to absorb the economic impact created by the PD District. All service levels can be maintained to protect the public health, safety and welfare. Finding number four can be made in the affirmative.

5. That the proposed off-street parking is in substantial conformance with the provisions of Section 8 of this Ordinance, that where an applicant’s proposed off-street parking is less than that set forth by the standards of Section 8 of this Ordinance, circumstances are such that it would be a practical difficulty or create a physical hardship on the applicant for him to conform to the standards of Section 8.

The proposed two-unit residential use building is located within a transition area between a residential and commercial area and on-street parking is available on O’Neill and Sixth Avenues adjacent to the site. The site is also served by mass transit; bus service along El Camino Real, and by CalTrain that could alleviate any potential parking demand.

The objective of the RL General Plan designation and the R-1B zoning district is to encourage a mix of low-density residential uses in the downtown area. In order to meet these objectives, development of a two-unit residential development on the subject site reduces the amount of land area available for potential future parking uses. The solution to reduce any potential on-street parking impacts on the nearby residential area is to provide an adequate driveway length leading to the two-car detached garage to accommodate off-street parking demand.

The proposed parking layout provides the maximum possible number of spaces that can be accommodated on-site that is within practical means. Finding number five can be made in the affirmative.

Fiscal Impact

None at this time. However, the Redevelopment Agency should determine both an interim and end use of the donor site as well as providing direction regarding the use of the Emmett House. Fiscal analysis would be completed upon direction by the Redevelopment Agency on preferred alternative uses.

Furthermore, if the individual Emmett House units are sold as below-market rate condominiums or rented as below-market rate apartment units, a fiscal impact analysis would be performed to provide information to guide the Redevelopment Agency in their decision-making process.

Public Contact

1. For Rezoning and Conceptual Development Plan (CDP) actions to establish a Planned Development Zoning District, the City Council is required to hold a public meeting as per Section 16.7 (Amendments) of the BZO. The City placed a public notice display ad in the local newspaper of general circulation (San Mateo Times) for a minimum 10-day period beginning on May 19, 2007, for the scheduled public hearings by the Redevelopment Agency and City Council on May 29, 2007.
2. Notice to the public was mailed in accordance with State law and local ordinance (300 feet of the subject site) and the agenda was posted as required by the California Government Code.

Recommendation

Staff recommends the Redevelopment Agency take the following action:

1. Approve a resolution adopting the Mitigated Negative Declaration.
2. Adjourn to the scheduled City Council meeting for adoption of an Ordinance approving the Conceptual Development Plan (CDP) and Rezoning of the subject site to Planned Development (PD).

Alternatives

1. Take public testimony and continue the hearing, directing any questions to staff for research and response. A staff memorandum would be prepared for consideration at a future hearing.
2. Deny the requested entitlements.
3. Take no action.

Attachments

- I. Resolution adopting the Mitigated Negative Declaration
- II. May 15, 2007 Planning Commission staff report, adopted Resolutions, and attachments (Agency only)
- III. May 1, 2007 Planning Commission staff report and attachments, including Negative Declaration & Initial Study dated November 2006 (Agency Only)
- IV. City Council Draft Ordinance Adopting a Conceptual Development Plan and Rezone to Planned Development (for City Council consideration subsequent to Redevelopment Agency meeting adjournment)
- V. Project Plans and Materials (Agency only)

Respectfully submitted,

_____	_____	_____
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PLEASE NOTE: Attachments II, III, and V are not included as part of this document - please contact the City Clerk at (650) 595-7413 for more information on viewing these attachments. Attachment IV can be viewed under the website link for **City Council agenda item 2B**.

REDEVELOPMENT AGENCY RESOLUTION NO. _____

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT
ADOPTING A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL
SIGNIFICANCE FOR ESTABLISHMENT OF A PLANNED DEVELOPMENT ZONE
(PD) AND ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN (CDP) FOR
RELOCATION AND REHABILITATION OF A TWO-UNIT RESIDENTIAL**

**STRUCTURE (THE EMMETT HOUSE) AND CONSTRUCTION OF A TWO-CAR
DETACHED GARAGE AT 1000 O’NEILL AVENUE (APPL. NO. 2006-0090)**

WHEREAS, a Mitigated Negative Declaration of Environmental Significance has been prepared for the proposed Conceptual Development Plan (CDP) and Rezone to a Planned Development District (PD) to allow relocation and rehabilitation of a two-unit residential building (The Emmett House) at 1000 O’Neill Avenue; and,

WHEREAS, a public hearing was duly noticed, held on May 29, 2007, and closed; and,

WHEREAS, the Redevelopment Agency has considered the impacts of the proposed project as set forth in the Initial Study/Mitigated Negative Declaration of environmental significance attached as part of the May 29, 2007 staff report, and finds that there are no significant effects on the environment as stated in the report.

NOW, THEREFORE BE IT RESOLVED that the Redevelopment Agency hereby adopts a Mitigated Negative Declaration of Environmental Significance as the appropriate CEQA documentation for the project pursuant to the provisions of the Public Resources Code known as the California Environmental Quality Act, and City-adopted implementation guidelines.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the Redevelopment Agency of the City of Belmont at a regular meeting thereof held on May 29, 2007 by the following vote:

AYES, DIRECTORS: _____

NOES, DIRECTORS: _____

ABSTAIN, DIRECTORS: _____

ABSENT, DIRECTORS: _____

RECUSED, DIRECTORS: _____

Secretary, Redevelopment Agency

APPROVED:

Chair, Redevelopment Agency