



Staff Report

RESOLUTION TO DECLASSIFY A DESIGNATED HISTORIC RESOURCE LOCATED AT 525 KINGSTON AVENUE PURSUANT TO MUNICIPAL CODE SECTION 7-182

Honorable Mayor and Council Members:

Summary/Background

In September 2004, the Community Development Department approved an Administrative Certificate of Appropriateness to add a 391 square-foot addition, and reconstruct the dwelling located at 525 Kingston Avenue. A building permit was subsequently issued in September 2004 and work on the home has been completed. The administrative certificate of appropriateness included a condition of approval requiring the applicant to construct a legal conforming two-car garage and driveway prior to occupancy.

On February 21, 2006 the Planning Commission reviewed a Single Family Design Review request to allow construction of a 572 square-foot detached two-car garage. The project was continued to allow staff and the applicant to obtain a historic resources evaluation by an outside consultant and to address several concerns raised by the Commission. The Planning Commission ultimately approved the Single Family Design Review request and adopted a Resolution approving the project at the February 6, 2007 meeting. The adopted resolution included a condition of approval directing staff forward to the Belmont City Council a request to declassify the subject property, thereby removing it from the historic resources inventory list. Article VII, Section 7-182 of the Belmont Municipal Code outlines the procedure for declassification of a historical resource (See Attachment E).

A copy of the adopted February 6, 2007 Planning Commission resolution (See Attachment B) and the December 19, 2006 Planning Commission staff report (See Attachment C) are attached to this report. A public hearing has been noticed for this item.

Discussion

Staff obtained the services of Garavaglia Architecture, Inc. (consultant), to complete a Historic Resource Evaluation of the subject property and the Single Family Design Review project. The consultant prepared a document, dated November 22, 2006, which is included in Attachment D. The report provides a review of the property history and the existing conditions, a historical integrity evaluation, and California Environmental Quality Act (CEQA) review. The report also provides a list of recommendations for both the property and the City that will ensure that historic property

review procedures comply with applicable State and Federal policies.

The report concludes that the previously completed alterations to the main house are extensive enough to constitute a severe impact to the historical integrity of the primary historical resource. This property was originally listed as a Belmont local historical resource for architectural merit. In the report, the consultant determined that the original building materials, roof lines, massing and fenestration are no longer present or discernable on the main house. Because the integrity of the main resource has been compromised, the historical context for the secondary structures (garage and potting shed) has also been eliminated.

Required Finding – Declassification of Landmarks and Historic Resources

Article VII, Section 7-182 of the Belmont Municipal Code outlines the process for declassifying any designated landmark or historic resource. There are four findings listed for declassification of a resource; the City Council is required to only make one of them. The findings are outlined and analyzed as follows:

- (a) *Circumstances have changed such that the structure or property no longer meets the applicable definition contained herein; or*

The City has attained the services of a qualified historic architecture consultant who surveyed the existing property and all completed and proposed alterations to the historic resource. The consultant, Garavaglia Architecture, Inc, prepared a report dated November 22, 2006. This report concluded that the previously completed alterations to the main house are extensive enough to constitute a severe impact to the historical integrity of the primary historical resource such that it no longer meets the definition of a historic resource as defined in Article VII, Section 7-180 of the Belmont Municipal Code which reads:

Historic Resource: The term “historic resource” shall mean a building or structure over fifty (50) years old representative of a historic period or building type, but does not meet landmark standards. A historic resource is significant because it was present during the period of significance, and possesses historic integrity, architecture, or historic association reflecting its character at that time or is capable of yielding important information about that period.

The structure has been extensively remodeled and a majority, if not all, of the exterior architectural elements have been replaced such that it is no longer over fifty (50) years old. The structure can now be considered a replica of a historic structure but no longer qualifies as a historic resource per the above definition. This finding can be made in the affirmative.

- (b) *Such classification is no longer necessary to meet the declared purpose of this article.*

Section 7-179 of Article VII of the Belmont Municipal Code establishes the purpose of the Historic Resources Article as follows:

Purpose declared: The purpose of this article is to preserve, enhance, and perpetuate for the benefit of the general public those buildings, structures, and areas having special historical or aesthetic interest or value which contribute to community aesthetics and identity, and to prescribe the procedure for altering, relocating, and demolishing those structures so classified.

The extensive alterations to the home have resulted in a property that no longer qualifies as a historic resource and thus is no longer necessary to meet the declared purpose of the Historic Resources article in the Municipal Code. This finding can be made in the affirmative.

- (c) *Circumstances have changed such that such classification would deprive the owner of economically viable use of the site.*

This finding does not apply to this request; however, it is not required to be made in the affirmative by the City Council so long as the Council is able to make at least one of the other applicable findings.

- (d) *The building or structure has been approved for demolition.*

A demolition permit has not been issued by the Community Development Department for demolition of the structure. Evaluating the merits of this finding is not required as both findings (a) and (b) can be made in the affirmative; thus the subject property qualifies for declassification.

GENERAL PLAN COMMUNITY GOALS AND POLICIES

Goal 1015.9

“To protect and conserve significant community resources such as energy, clean air and water and historic or architecturally interesting buildings.”

Goal 3051.7

“To preserve, to the extent possible, the community’s historical resources.”

Policy 1016.9

“In all new development, significant historical and archaeological features should be identified and, as determined appropriate, protected or conserved.”

Policy 3052.11

“The City encourages private and public efforts to preserve, restore, and continue use of historical structures in the community to the extent possible.”

It should be noted that the resulting scope of alterations for the property present inconsistencies with the established Goals and Policies of the Belmont General Plan as noted above. However, as part of their review, the historic resources consultant (Garavaglia Architecture, Inc.) provided a list of six

(6) recommendations for the City of Belmont that would bring our Historic Resources program into further compliance with the General Plan Goals and Policies and also into compliance with the Secretary of the Interior's Standards for the Treatment for Historic Properties.

It should be noted that a comprehensive update of the City's Historic Resource Program has been included as a Council Priority Calendar Action Item for the 2007-2008 fiscal year. Mitigation measures recommended by the historic resources consultant in relation to the project at 525 Kingston Avenue will likely be addressed and implemented in conjunction with completion of that action item. Completion of this action item will ensure that the City's development procedures are in full compliance with the General Plan goals and policies.

Environmental Clearance (CEQA)

The proposed Declassification of a Historic Resource is categorically exempt from environmental review under the provisions of the California Environmental Quality Act (CEQA) per Section 15331 which reads:

Historical Resource Restoration/Rehabilitation – Class 31 consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995) Weeks and Grimmer.

It is the opinion of the consulting historic resources architect that the project site has been compromised such that the project no longer qualifies as a historic resource per the definition provided in the Belmont Municipal Code. The historic resource evaluation also indicated that the alterations made to the primary home were done in compliance with the City's Municipal Code and Zoning Ordinance. Given these circumstances, the project does not require additional CEQA review.

Fiscal Impact

No fiscal impact is anticipated in conjunction with this declassification request.

Public Contact

1. The City placed a public notice display ad in the San Mateo Times (local newspaper of general circulation) as per Section 16.4.1 (Amendments) of the BZO on July 14, 2007, for the scheduled public hearing by the City Council on July 24, 2007.
2. This matter was placed on the agenda and posted as required by the California Government Code.

Conclusion/Recommendation

Based on the action taken at their February 6, 2007 meeting, the Planning Commission has concluded that the subject property no longer qualifies as a historic resource per the Belmont

Municipal Code and recommends that the property be declassified by the City Council. A resolution approving the declassification of the currently designated local historic resource at 525 Kingston Avenue is attached for Council review and adoption.

Alternatives

1. Disapprove the declassification request.
2. Refer back to staff for additional information.

Attachments

- A. Draft City Council Resolution declassifying the locally designated historic resource.
- B. Adopted Planning Commission Resolution approving a Single Family Design Review request to construct a detached two-car garage – February 6, 2007
- C. December 19, 2006 Planning Commission Staff Report
- D. Historic Resource Evaluation (dated 11/22/06) prepared by Garavaglia Architecture Inc.
- E. Article VII – Structures of Historic or Aesthetic Value – Belmont Municipal Code
- F. Historic Resource Inventory Sheet for the subject property
- G. Property Photographs

Respectfully submitted,

Jennifer Walker
Associate Planner

Carlos de Melo
Community Development Director

Jack R. Crist
City Manager

Staff Contact:

Carlos de Melo, Community Development Director
(650) 595-7440

cdemelo@belmont.gov

PLEASE NOTE: Attachments B through G are not included as part of this document. Please contact the Community Development Department at (650) 595-7417 for more information on viewing this attachment.

RESOLUTION TO DECLASSIFY A DESIGNATED HISTORIC RESOURCE
LOCATED AT 525 KINGSTON AVENUE (APPL. NO 2005-0051)

WHEREAS, the applicant, the City of Belmont, requests declassification of a locally designated historic resource at 525 Kingston Avenue, pursuant to Section 7-182 of the Belmont Municipal Code; and,

WHEREAS, on February 6, 2007, the Planning Commission adopted Resolution 2007-03 with a Condition of Approval recommending the Belmont City Council review and adopt a resolution declassifying the designated Historic Resource at 525 Kingston Avenue; and,

WHEREAS, on July 24, 2007, the City Council, following notification in the prescribed manner, conducted a public hearing, at which hearing the Council considered public testimony and a staff report on the aforementioned declassification; and,

WHEREAS, the City Council did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth; and,

WHEREAS, the City Council hereby adopts the staff report (dated July 24, 2007) and the facts contained therein as its own findings of fact; and,

WHEREAS, the City Council finds the declassification to be categorically exempt from the provisions of the California Environmental Quality Act per Section 15331; and,

WHEREAS, the City Council makes required findings (a) and (b) as outlined in Section 7-182 of Article VII of the Belmont Municipal Ordinance in the affirmative for declassification of the Historic Resource located at 525 Kingston Avenue as follows:

- (a) *Circumstances have changed such that the structure or property no longer meets the applicable definition contained herein; or*

The City obtained the services of a qualified historic architecture consultant who surveyed the existing property and all completed and proposed alterations to the historic resource. The consultant, Garavaglia Architecture, Inc, prepared a report dated November 22, 2006. This report concluded that the previously completed alterations to the main house are extensive enough to constitute a severe impact to the historical integrity of the primary historical resource such that it no longer meets the definition of a historic resource as defined in Article VII, Section 7-180 of the Belmont Municipal Code which reads:

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The structure has been extensively remodeled and a majority, if not all, of the exterior architectural elements have been replaced such that it is no longer over fifty (50) years old. The structure can now be considered a replica of a historic structure but no longer qualifies as a historic resource per the above definition. This finding is affirmed.

(b) *Such classification is no longer necessary to meet the declared purpose of this article.*

Section 7-179 of Article VII of the Belmont Municipal Code establishes the purpose of the Historic Resources Article as follows:

Purpose declared: The purpose of this article is to preserve, enhance, and perpetuate for the benefit of the general public those buildings, structures, and areas having special historical or aesthetic interest or value which contribute to community aesthetics and identity, and to prescribe the procedure for altering, relocating, and demolishing those structures so classified.

The extensive alterations to the home have resulted in a property that no longer qualifies as a historic resource and thus is no longer necessary to meet the declared purpose of the Historic Resources article in the Municipal Code. This finding is affirmed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont hereby declassifies a locally designated historic resource at 525 Kingston Avenue, pursuant to Section 7-182 of the Belmont Municipal Code.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting held thereof held on July 24, 2007 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

RECUSED, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont