STAFF REPORT

TO: Planning Commission

FROM: Albert Lopez, Deputy Community Development Director

DATE: March 25, 2008

SUBJECT: 630 Court Street – General Plan Consistency Finding

RECOMMENDATION:

Adopt resolution with finding of consistency

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act, this project will be exempt under the following sections: Class 1 – Existing Facilities, Class 3 New Construction of Small Structures, Class 12 – Surplus Government Property Sales, Class 31 – Historical Resource Restoration/Rehabilitation, Class 32 – In-Fill Development Projects and Section 15061.B.3. of the CEQA guidelines pertaining to the general rule exemption.

BACKGROUND

630 Court Street was purchased by the City of Martinez from Contra Costa County in "as is" condition several years ago for the sole purpose of finding a private developer to rehabilitate, retrofit the building and provide new tenants that could serve as a catalyst for downtown revitalization efforts.

After a third Request for Proposal process, the City chose the Goldenberg development team to develop the property with commercial uses. The Goldenberg development team proposes to rehabilitate, retrofit and expand 630 Court Street by enlarging the basement and constructing a new third story. The basement and first floor will be a restaurant, and the second floor and stepped back third story addition will be leased as office space.

Currently the City is operating under an Exclusive Negotiating Agreement with the Goldenberg team, and is hoping to shortly receive City Council approval to finalize the Purchase and Sale Agreement. As part of the disposition of City real property, the municipal code requires various steps to be taken, including a determination by the Planning Commission that the disposition of the property is consistent with the General Plan, which in this case is the Downtown Specific Plan (DSP).

CONSISTENCY DISCUSSION

630 Court Street is located in the Downtown Core of the DSP which allows the highest intensity uses, including both commercial and residential at densities of up to 43 units per acre. The Zoning District there is CC- Central Commercial, and both of the commercial uses proposed by the Goldenberg development team (restaurant and office) are consistent with the land uses permitted by right. From a land use perspective, the project is consistent with the DSP, and therefore is consistent with the General Plan.

Another component of this consistency finding is the design of the 630 Court Street building and the degree to which the project respects the Historic Resource designation on the building (the building was recently nominated and accepted for State of California Register of Historic Resources). As a Historic Resource, in order for the building to be exempted from the California Environmental Quality Act (CEQA) as staff is proposing now, the alterations to the building would have to be consistent with the Secretary of the Interior Standards for Rehabilitation. This would indicate the changes to the building, including the third story addition, are done in such a manner to minimize any adverse impacts to Historic Resources.

Currently the City only has a very preliminary drawing, and until the Purchase and Sale Agreement is executed, the City will not have additional drawings, so we can only look at the rendering we have showing design intent, and it should not be taken too literally at this early stage. However, the City can infer certain information from the drawings we do have, and that information also shows that the project is consistent with the DSP.

Chapter 4 of the DSP has Design Standards and Guidelines, and attached is a checklist showing that the project does conform to the guidelines. Mostly the guidelines recommend that the building have a strong street presence with direct access to the building from the street.

As the Planning Commission will see the project again as a formal Design Review application, at that point the Commission can expect to see an updated checklist including all the other design criteria, including how the project conforms to the Downtown Historic Overlay District and the Secretary of the Interior Standards for Rehabilitation. This will be critical in order for the project to stay on schedule and be considered exempt from the CEQA process.

At this point Staff is comfortable with the design intent that can be gleaned from the rendering, and believes that the Goldenberg development team is also committed to building a project that is consistent with the DSP in all regards.

As such, the Staff is asking the Planning Commission to adopt the attached resolution making a finding that based on the information we now have, that the project is consistent with the Downtown Specific Plan, and by inference the General Plan. This will allow the project to move forward with the anticipation that the Planning Commission to review the project as a complete Design Review application at a later date, where all the DSP conformity issues can be discussed at length.

Attachments:

Draft Resolution
Goldenberg rendering
Downtown Specific Plan checklist
Chapter 4 - DSP

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RESOLUTION 08-02 [DRAFT]

RESOLUTION OF THE PLANNING COMMISSION FINDING THAT THE DISPOSITION OF 630 COURT STREET IS CONSISTENT WITH THE MARTINEZ GENERAL PLAN, AND ALL APPLICABLE SPECIFIC PLANS.

WHEREAS, 630 Court Street is a 5,920 square foot, two story brick clad office building in Downtown Martinez, and was recently added to the California State Register of Historic Resources; and,

WHEREAS, 630 Court Street was purchased by the City of Martinez for the sole purpose of finding a private developer to rehabilitate, retrofit the building and provide new tenants that could serve as a catalyst for downtown revitalization efforts; and,

WHEREAS, the City of Martinez selected the Goldenberg development team in August of 2007 who proposes to rehabilitate, retrofit and expand 630 Court Street; and,

WHEREAS, the uses Goldenberg proposes are a restaurant in an enlarged basement and first floor, and office uses on the second floor and stepped back third story addition; and,

WHEREAS, the project is located in the Downtown Core district of the Martinez Downtown Specific Plan and the Central Commercial zoning district where restaurants and office space are permitted uses by right; and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) the project is exempt as a Class 1 – Existing Facilities, Class 3 New Construction of Small Structures, Class 12 – Surplus Government Property Sales, Class 31 – Historical Resource Restoration/Rehabilitation, Class 32 – In-Fill Development Projects and Section 15061.B.3. of the CEQA guidelines pertaining to the general rule exemption; and,

WHEREAS, the Planning Commission will review the project in a formal Design Review application, with a recommendation from the Design Review Committee as to the projects consistency with the applicable design guidelines contained in the Downtown Specific Plan and the Secretary of the Interior Standards for the Rehabilitation of Historic Resources; and,

WHEREAS, the findings to approve a Design Review application will include compliance with the California Environmental Quality Act (CEQA), and all other findings necessary for approving a Design Review application.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recognizes the General Plan consistency finding is necessary to move the project to more advanced stages at which point a complete Design Review application will be required, and acted upon by the Planning Commission; and,

BE IT FURTHER RESOLVED, that the Planning Commission hereby determines that the restaurant and offices uses contemplated by the development proposal at 630 Court Street are consistent with the General Plan and all applicable Specific Plans.

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I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a regular meeting of said Commission held on the 25th day of March 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: _____
Frank Kluber
Planning Commission Chair

_____
Albert Lopez
Deputy Community Development Director

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Martinez Downtown Specific Plan – Downtown Core District
Compliance with Chapter 4 – Downtown Core

Project: **630 Court Street**
Goldenberg/City of Martinez

Date: February 26, 2008

Legend:
(+) = Complies
(-) = Does not comply
(NA) = This item is not applicable to this project

Chapter 4	Complies with Specific Plan Chapter 4	Analysis	Staff Comments
4.1 Purpose	(+)	This project maintains historic character of Downtown Martinez, and creates uses that are conducive to promoting activity during evenings and weekends, as well as on weekdays.	The sale of 630 Court Street will catalyze development downtown and take advantage of its unique location to promote more pedestrian activity, both daytime and night.
4.2 Uses	(+)	The uses proposed by the Goldenberg development team (restaurant and office) are allowed by right in the CC-Central Commercial zoning district.	Both uses allowed by right, no use permit needed.
4.3 Zoning Districts	(NA)	(NA)	(NA)
4.5 Development Standards	(+)	Staff believes the final height of 630 court street, with the addition, will be at or below the 40' or three story height limit of the DSP. Residential unit density does not apply to this project	The applicant will be encouraged to keep the project below 40' is possible, and if not a use permit will be required.
4.5.1 Maximizing Usage	(+)	This project is three stories, and maximizes the usage of the site	--
4.5.2 Parking	(+)	The project falls within Martinez Parking District No. 1, in which nonresidential uses are not required to provide on-site parking. The building was originally constructed without	No new parking will be required for this project since it's in the Parking District.

Chapter 4	Complies with Specific Plan Chapter 4	Analysis	Staff Comments
		parking and there is effectively no place to place parking on site. New users of the building, including the addition, will have to utilize surface parking lots or street parking.	
4.5.3 Density	(NA)	Not a residential project	--
4.6.1 Character Defining Statement	(+)	This property is a registered California Historic Resource, and is a significant building that represents the Downtown historic character. Since the project is keeping the main façade, that character will be maintained.	The building will be rehabilitated and added to in such a manner that will be consistent with the Secretary of the Interior Standards for Rehabilitation. Anything less will require more environmental review and could cause delays.
4.6.2 Site Design Standards			
Building Orientation	(+)	The building has a strong street presence. The proposed outdoor seating will also create more activity areas oriented toward the street.	Complete conformance
Setbacks	(+)	Building fronts directly onto public sidewalk with no intervening setback.	Complete conformance
Vehicular Access and Parking	N/A	No parking on site	--
Pedestrian Access	(+)	Primary access to the building is from the street.	Complete conformance
Site Furniture	(-)	No site furniture is proposed at this time.	As the project develops, and as space allows on the corner of Court and Main, if there is space for site furniture such as benches, they will be provided to the extent practicable.

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Chapter 4 – Downtown Core

This chapter defines the land uses, development standards and design standards and guidelines for the Downtown Core. This chapter is organized as follows:

4 Downtown Core
- 4.1 Purpose
- 4.2 Uses
- 4.3 Zoning Districts
- 4.5 Development Standards
- 4.6 Design Standards and Guidelines

4.1 PURPOSE

The Downtown Core is the cultural and historic heart of Martinez. The quality of Downtown Martinez's historic buildings and the relationship between these buildings creates a historic urban fabric unparalleled in Contra Costa County. The positive image and economic health of Downtown Martinez are strongly influenced by this historic character, and its protection is an essential part of assuring Martinez's economic health and growth in the future. The intent of this Specific Plan is to create and encourage opportunities for a variety of commercial, residential, entertainment and cultural uses, including retail, office, residential and visitor-serving uses. The Downtown Core encourages a concentration of uses that generate activity during evenings and weekends as well as on weekdays. The retail uses in this area are intended to serve many of the daily shopping needs of Downtown residents and employees, as well as the specialty shopping needs of citywide residents, regional shoppers, and tourists.

The Downtown Core is divided into two sub-areas, consisting of 1) properties with frontage on Main or Ferry Streets and 2) all other properties. Standards for properties with frontage on Main Street and Ferry Street, the Downtown's historic retail streets, are intended to reinforce this historic pedestrian retail pattern by concentrating active retail uses along these streets. Because of the concentration of buildings on Main Street and Ferry Street that contribute to Downtown's historic character, these properties also fall into the Downtown Historic Overlay District (see Chapter 6 of this Plan), which provides standards for rehabilitation and new construction that are intended to preserve and enhance the historic character of the Downtown. Local landmarks such as the City Hall Apartments building, the Bergamini Building, the Old State Theater, and the McMahon Building help to define the district's character. Preservation and rehabilitation of such structures, along with careful and compatible design of new development, is important in maintaining the area's character and unique sense of identity.

Standards for the outer portion of the Downtown Core, consisting of properties without frontage on Main Street or Ferry Street, are intended to create a mixed-use pattern of

residential, office, cultural and small-scale light industrial and manufacturing uses that is in keeping with the traditional fine-grained mix of uses typical of a traditional Downtown.

4.2 USES

The uses in the Downtown Core are those allowed in the CC zone district, subject to the design guidelines of this Plan and the general requirements of the Zoning Code.

4.3 ZONING DISTRICTS

The existing CC district in the Downtown Core shall remain, and shall be expanded to include the SC and LI zoned area north of downtown. The existing PA zoned area from the north side of Green Street south to Masonic shall also remain, as a transition from the commercial area to the residential area.

4.5 DEVELOPMENT STANDARDS

All new development in the Downtown Core shall be accordance with the standards of the CC zone district for height, lot size, setbacks, etc. The CC District shall be amended to provide for a height limit of 40', or three stories, higher with a use permit, and a maximum density of 43 units per acre.

4.5.1 Maximizing Usage

In accordance with the "smart growth" principles stated in Section 1.3 of this Plan, the intent of the Downtown Core is to encourage two to three story buildings in the downtown, and to discourage one story buildings.

4.5.2 Parking

The majority of the Downtown Core falls within Martinez Parking District No. 1, in which nonresidential uses are not required to provide on-site parking. Residential uses must provide onsite parking in accordance with the standards of Chapter 22.34 of the Zoning Ordinance, and as allowed within the provisions of the Downtown Overlay district. Refer to Chapter 12 for additional off-street parking and loading requirements and standards.

4.5.3 Density

The basic density for residential shall be 29 units per acre, equivalent to R-1.5 zoning. The Planning Commission may approve up to a maximum density of 43 units per acre (equivalent to R-1.0 zoning), by use permit. In order to approve a density above the lower end of the density range, the Planning Commission would need to find that in

addition to meeting the above minimum requirements, the proposal is superior in terms of two or more of the following criteria:

- Design and appearance
- Minimizing impacts on adjacent public lands
- Providing onsite amenities for the future residents
- Preserving or creating view corridors.
- Utilizing green building practices to the maximum extent possible
- Providing a public amenity.

In order to approve a density at or near the upper end of the density range, the Planning Commission would need to find that the proposal is superior in terms of all or almost all of the above criteria.

4.6 DESIGN STANDARDS AND GUIDELINES

4.6.1 Character Defining Statement

The Downtown Core is the cultural, historic and retail center of Martinez and an attraction for the region beyond. Its significant signature buildings include the City Hall Apartments, Bank of Martinez, National Bank of Martinez, and the Hook, McMahon-Telfer, and Bergamini Buildings. Other culturally significant buildings in the District, such as Hilson's Department Store and the Bell Telephone, Rankin, and McNamara-McMahon Buildings, have compromised their historic character through renovations. New construction should be in scale and architecturally harmonious with nearby historic buildings. The above listed signature buildings should be used for inspiration regarding design, form, detailing and site layout.

The design standards and guidelines for the Downtown Core are intended to enhance these signature buildings as well as their setting, since both buildings and context contribute to the character of a cohesive Downtown. In addition, the design standards and guidelines for the Downtown Core are intended to create a vibrant, pedestrian-friendly Downtown by encouraging pedestrian-oriented storefronts, human scaled spaces, and pedestrian amenities.

4.6.2 Site Design Standards

Building Orientation

Buildings should have strong street presence, with public entrances and activity areas oriented toward the street.

Setbacks

Commercial buildings should front directly onto public sidewalks with no intervening setback

Vehicular Access and Parking

On-site parking is discouraged, except for residential uses, and parking spaces should not have direct frontage on, nor vehicular access to or from Main Street or Ferry Street. Access points should be located on other streets.

Pedestrian Access

Primary access to buildings should be from the street or pedestrian walkways, not parking areas.

Site Furniture

Pedestrian amenities are encouraged, including benches, landscaped gathering areas, trash receptacles, etc. Design of improvements should be traditional and related to the signature buildings.