

ORDINANCE NO. 1934

**AN ORDINANCE OF THE CITY OF WALNUT CREEK
ADOPTING AN OVERLAY ZONE FOR PROPERTY FORMERLY
KNOWN AS THE WALNUT CREEK WOMEN'S CLUB
PERMITTING A BUSINESS AND PROFESSIONAL OFFICE (1224
Lincoln Avenue)**

The City Council of the City of Walnut Creek does ordain as follows:

Section 1. Findings.

1. On September 10, 1998, the Walnut Creek Planning Commission held a public hearing to consider General Plan Amendment/Rezoning Application No.1795 filed June 25, 1998 by Mona L. Hansen, applicant, in which it was requested to (1) amend the General Plan from MFVH, Multifamily Very High to OF, Office; (2) rezone the site from M-1, Multifamily Residential to O-C, Office Commercial; and (3) convert the former Walnut Creek Women's Club building to an architectural office at 1224 Lincoln Avenue (APN 178-290-001).

2. Negative Declaration was posted for this project on September 4, 1998, the Community Development Director having found that no substantial adverse impacts will occur as a result of this project.

3. The project falls within the 65 dB(A) noise contour which is an acceptable noise level for office land uses, as defined by the City Noise Element.

4. The City Design Subelement of the General Plan, Table 2-6, identifies this building as a potentially significant architectural specimen. Policy 13 states, "*Support the preservation and restoration of architecturally and historically significant structures and sites as a physical record of the City's heritage and to provide the community with a sense of connection to the past.*"

5. Public comments received include support for the proposed business and professional office use. Some residents expressed concern regarding evening and weekend use of the on-site parking lot by customers of downtown businesses.

6. The Commission did not support a change in the General Plan or Zoning but recommended adding an Overlay Zone to the property. The Overlay Zone would specify that the building could only be used for an office use as a means to preserve and restore this "architectural specimen." If desired, the site could later be developed for multifamily residential housing, as designated by the General Plan and Zoning.

7. Based on the evidence presented at the hearing on this item, and on investigations made by this council and on its behalf, the Walnut Creek City Council hereby resolves that:

- a. This City Council approves the Negative Declaration finding that: 1) it has been prepared in compliance with CEQA, State and City Guidelines, 2) the information contained therein has been reviewed and studied, 3) public comment received during

the 21 day review period has been considered, and 4) the project will not have a significant effect on the environment.

b. The proposed Overlay Zone is consistent with the City Design Subelement of the General Plan and the spirit of Chapter 2, Title 10 of the Walnut Creek Municipal Code.

c. The health, safety, welfare, and general prosperity of the residents of the City of Walnut Creek will be served by the proposed Overlay Zone because: 1) the building is listed as an "architectural specimen" in the General Plan and will be preserved with the office use; 2) the activity associated with the office use will be oriented toward Lincoln Avenue and away from the residential properties on Carmel Drive; 3) the multifamily General Plan and Zoning designations allow the opportunity to develop residential uses in the future; 4) the Overlay Zone would restrict the use to Business and Professional Office only and would not allow any of the other land uses that are permitted or conditionally permitted under the Office General Plan or Zoning designations.

Section 2. Decision. Based on the findings set forth above, the City Council of Walnut Creek adopts an Overlay Zone for the property at 1224 Lincoln Avenue presently zoned M-1, subject to the following conditions:

178-290-001

1. The building may be used only for Business and Professional Offices, excluding any medical use, or office use that has frequent and recurring weekend activity such as real estate or financial offices.

2. A minimum of ten parking spaces are required.

3. The applicant shall obtain design review approval and a site development permit for the following improvements. These improvements shall be completed prior to occupancy of the building.

a. Along the Lincoln Avenue frontage, the applicant is required to narrow the driveway from 45 to 25 feet; continue the curb, gutter and sidewalk from Walnut Creek to the western edge of the driveway; remove the guard rail; and stripe a pedestrian walkway around the corner of the site from the front entrance to connect to the pedestrian walkway along Carmel Drive.

b. Along the Carmel Drive frontage, the applicant is required to eliminate three of the five parking spaces that back out onto Carmel Drive; remove the asphalt occupied by those three parking spaces and replace with landscaping; and stripe the pedestrian walkway.

c. Any changes to the exterior of the building must be in architectural harmony with the period of architecture and approved by the Design Review Commission. No interior improvements shall cause changes to the exterior of the structure without design review approval.

