

City of Piedmont
COUNCIL AGENDA REPORT

Date: March 21, 2005

From: Geoffrey L. Grote, City Administrator

Subject: **801 Magnolia Avenue**

BACKGROUND

In 2003, 801 Magnolia was sold to the city for by the members of the Christian Science Church in the hope that it would “benefit the public”. The property consists of a main structure originally built circa 1878 and remodeled in 1935 and a newer section built in 1964 as a youth education wing. While the conversations with church members are not legally binding and no deed restrictions exist, a public process has been initiated by the council to explore the needs and desires of the community.

A first public hearing on this matter was held on February 7, 2005. There were many speakers representing a broad spectrum of non-profit community groups, all of which need new or enlarged space. Other speakers endorsed commercial zoning of the property or advocated its sale. Minutes of that meeting are attached.

The purpose of this hearing is to allow further input by the community about the use of 801 Magnolia. At the conclusion of this public hearing, council may wish to give direction to staff about a further meeting in April at which time discussion can focus on specific proposals and process timelines.

Council will recall that the California Environmental Quality Act (CEQA) requires that a specific use for 801 Magnolia be determined before any action can be taken to re-zone the property and seek voter approval.

**Public Hearing:
801 Magnolia**

The City Administrator requested the Council to take public input regarding potential uses for City property at 801 Magnolia Avenue. As discussed at the January 3 and 18 meetings, the Administrator noted the City's inability to place on the School District's June 2005 Special Election ballot the issue of property re-zoning because of the noticing requirements of the City Code and CEQA which do not allow adequate time for the matter to be processed in time for inclusion on the June ballot. However, if a special state election is held in November, the re-zoning ballot measure could be placed on this ballot or the Council could decide to defer the matter until the City's next regular municipal election in March 2006. In the interim, the City Administrator recommended that the Council proceed with discussion of possible uses of the former Christian Science Church building.

Public testimony was received from:

Drew Bendon urged the Council to pursue the most broad zoning designation for the property (i.e., commercial) so as not to limit or preclude the wide variety of community needs appropriate for the civic center.

Don Howe & Dorothy Falarski (professional musicians), Art Kelly (Executive Director of Piedmont Choirs), Paul Swenson (President of the Piedmont Choirs Board of Directors), Nancy Lehrkind, Marilyn Marsh and Don Howe all urged that the property be used as a *Center for the Arts*. They noted the number of artists and musicians who live in Piedmont, the fact that such a center would help bring people together, address the shortage of performing art facilities in the community, provide a venue for the display of art collections and create an arts archive/library for the benefit of residents, foster the mingling of Piedmont youths and seniors in the interest of art and enhance Piedmont's image as a cultural community.

Susan Seeley, a Board Member of the Berkely/Richmond Jewish Community Center, noted the Center's willingness to jointly develop with the City an after-school child care facility at the property which could include adult and children cultural activities.

Sue Smegal, President of the Piedmont Educational Foundation, noted the Foundation's desperate need for office space and the fact that if the Foundation was allowed to rent space at 801 Magnolia, its operation would have minimal, if any, impact on the neighborhood in terms of traffic/parking congestion.

Shirley Price, President of the Piedmont Historical Society, stressed the Society's desperate need for space to display its artifacts and memorabilia collections and the suitability of 801 Magnolia for these purposes.

George Childs urged the City to sell the property for single family residential use or lease it to generate City revenue. He opposed the expenditure of City tax dollars to improve the property.

Daniel Fried, a PHS student, urged that the property be used as a student-operated art and music center.

The Council thanked speakers for their input and agreed to schedule another public hearing regarding potential property uses on March 21.