



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: October 20, 2009

Staff Report #: 09-145

Agenda Item #: D1

CONSENT CALENDAR: **Waiver of the Reading of an Ordinance and Adoption of an Ordinance Rezoning Property Located at 1300 El Camino Real from C-4 (General Commercial District – Applicable to El Camino Real) to PD (Planned Development District) and Ratification of the Final Wording of the Conditions of Approval Contained in the Planned Development Permit**

RECOMMENDATION

Staff recommends that the City Council waive the full reading of and adopt an ordinance rezoning property located 1300 El Camino Real from C-4 (General Commercial District – Applicable to El Camino Real) to PD (Planned Development District), and ratify the final wording of the conditions of approval contained in the Planned Development (PD) Permit.

BACKGROUND

At the October 6, 2009 City Council meeting, the Council completed the public hearing and the Council voted 4-1 (with Council Member Boyle opposed) to introduce an ordinance rezoning property located at 1300 El Camino Real from C-4 (General Commercial District – Applicable to El Camino Real) to PD (Planned Development District). The Council's action included an approval of the PD Permit, Tentative Parcel Map, Below Market Rate Housing Agreement, Heritage Tree Removal Permit, and the Environmental Impact Report for the proposal to demolish all existing structures on the project site, merge the six existing legal lots, and construct 58,700 square feet of non-medical office space and 51,365 square feet of non-office space (e.g. retail, restaurant, fitness) in two commercial buildings at the 3.4-acre site.

As part of the action to approve the PD Permit, the City Council voted to adopt the following revisions to the PD Permit:

- Add a condition of approval requiring major existing structures onsite to be demolished and the site brought into a state of repair by April 30, 2009;
- Modify section 5.1 to clarify that the Community Development Director should apply a strict set of criteria if an extension of the PD Permit is requested;

- Modify condition 6.25 to require revised site plans to be submitted that provide a 10-foot clear pedestrian walking path between the tree wells and project obstructions that would include both the public sidewalk and a public access easement;
- Modify condition 6.29 to clarify that the landscape plan should make greater usage of native plants and trees; and
- Modify condition 6.37 to clarify that the applicant shall implement and/or incorporate conservation measures, features and offsets that are necessary to make the project carbon neutral with respect to onsite electrical and natural gas use/consumption.

Staff has revised the conditions of approval contained in the PD Permit based on the above direction by the City Council. Additionally, staff has modified conditions 6.26 and 6.53 to reflect the changes to the conditions discussed above. The revised PD Permit with ~~strikeout~~ and underline text for the revisions is included as Attachment B for the Council's ratification.

The City Council also encouraged the applicant to make a good faith effort to work with staff to consider a revised project consistent with work on the El Camino Real/Downtown Specific Plan and including a housing component.

ANALYSIS

Staff has prepared the final version of the ordinance rezoning the property for adoption (Attachment A). If the Council takes action to adopt the ordinance, it will become effective 30 days later, or on November 19, 2009.

IMPACT ON CITY RESOURCES

There is no direct impact on City resources associated with adoption of the ordinance amendment.

POLICY ISSUES

The recommended action is consistent with the City Council's actions and approvals on the project at its meeting of October 6, 2009 and would serve to complete the land use entitlements for the project.

ENVIRONMENTAL REVIEW

On October 6, 2009, the City Council adopted findings in accordance with the California Environmental Quality Act and certified the Environmental Impact Report prepared for the project.

Megan Fisher
Associate Planner
Report Author

Justin Murphy
Development Services Manager

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS

- A. [Ordinance rezoning the property located at 1300 El Camino Real from C-4 \(General Commercial District – Applicable to El Camino Real\) to PD \(Planned Development District\)](#)
- B. [Revised Planned Development Permit](#)

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ATTACHMENT A

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF MENLO PARK REZONING
PROPERTY WITH THE PRIMARY ADDRESS OF 1300 EL CAMINO
REAL**

The City Council of the City of Menlo Park does ordain as follows:

SECTION 1. The zoning map of the City of Menlo Park is hereby amended such that certain real property with the primary address of 1300 El Camino Real (061-430-420 and 061-430-450) and more particularly described in Exhibit "A" and Exhibit "B" is rezoned from C-4 (General Commercial District – Applicable to El Camino Real) to P-D(8) (Planned Development District).

SECTION 2. This ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption, the ordinance shall be posted in three (3) public places within the City of Menlo Park, and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Menlo Park prior to the effective date.

INTRODUCED on the 6th day of October, 2009.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the 20th day of October, 2009, by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

APPROVED:

Heyward G. Robinson
Mayor, City of Menlo Park

ATTEST:

Margaret S. Roberts, MMC
City Clerk