



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: June 20, 2006
Staff Report #: 06-110

Agenda Item #: D3

CONSENT CALENDAR: Waiver of the Reading and Adoption of an Ordinance Rezoning the Property Located at 2825 Sand Hill Road from C-1-C (Administrative, Professional and Administrative Research District, Restrictive) to C-4-X (General Commercial – Conditional Development).

RECOMMENDATION

Staff recommends that the City Council waive the full reading of and adopt an ordinance rezoning property located at 2825 Sand Hill Road from C-1-C (Administrative, Professional and Research District, Restrictive) to C-4-X (General Commercial – Conditional Development).

BACKGROUND

At the June 13, 2006 City Council meeting, the Council completed the public hearing and the Council voted 3-1 (with Councilmember Cohen opposed and Councilmember Fergusson not participating due to a potential conflict of interest) to introduce an ordinance rezoning property located at 2825 Sand Hill Road from C-1-C (Administrative, Professional and Research District, Restrictive) to C-4-X (General Commercial – Conditional Development). In addition, the City Council voted to approve a General Plan Amendment, Conditional Development Permit, Heritage Tree Removal Permit, and a Below Market Rate Housing Agreement for the development of a 170,000-square-foot hotel facility comprised of 120 guest rooms and suites, five villas, a restaurant, spa, fitness center, and a 100,000 square-foot office complex on a 21.06-acre, undeveloped site.

The Council also denied the applicant's request for a reduction in the Building Construction Street Impact Fee.

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 July 20, 2006.

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 existing City practices and the previous actions and approvals of the Council related to the project.

ENVIRONMENTAL REVIEW

On June 13, 2006, the City Council adopted findings in accordance with the California Environmental Quality Act and certified the Environmental Impact Report prepared for the project.

Deanna Chow
Senior Planner
Report Author

Justin Murphy
Development Services Director

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 property located at 2825 Sand Hill Road from C-1-C (Administrative, Professional and Administrative Research District, Restrictive) to C-4-X (General Commercial – Conditional Development)

ATTACHMENT A

DRAFT
June 20, 2006

ORDINANCE NO. ____

**An Ordinance of the City of Menlo Park, Rezoning Property Located
at 2825 Sand Hill Road**

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 located at 2825 Sand Hill Road (APN: 074-470-100) and more particularly described in Exhibit "A" and Exhibit "B" is rezoned from C-1-C (Administrative, Professional and Research District, Restrictive) to C-4-X (General Commercial – Conditional 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 13th day of June, 2006.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said Council on the ____ day of _____, 2006, by the following vote:

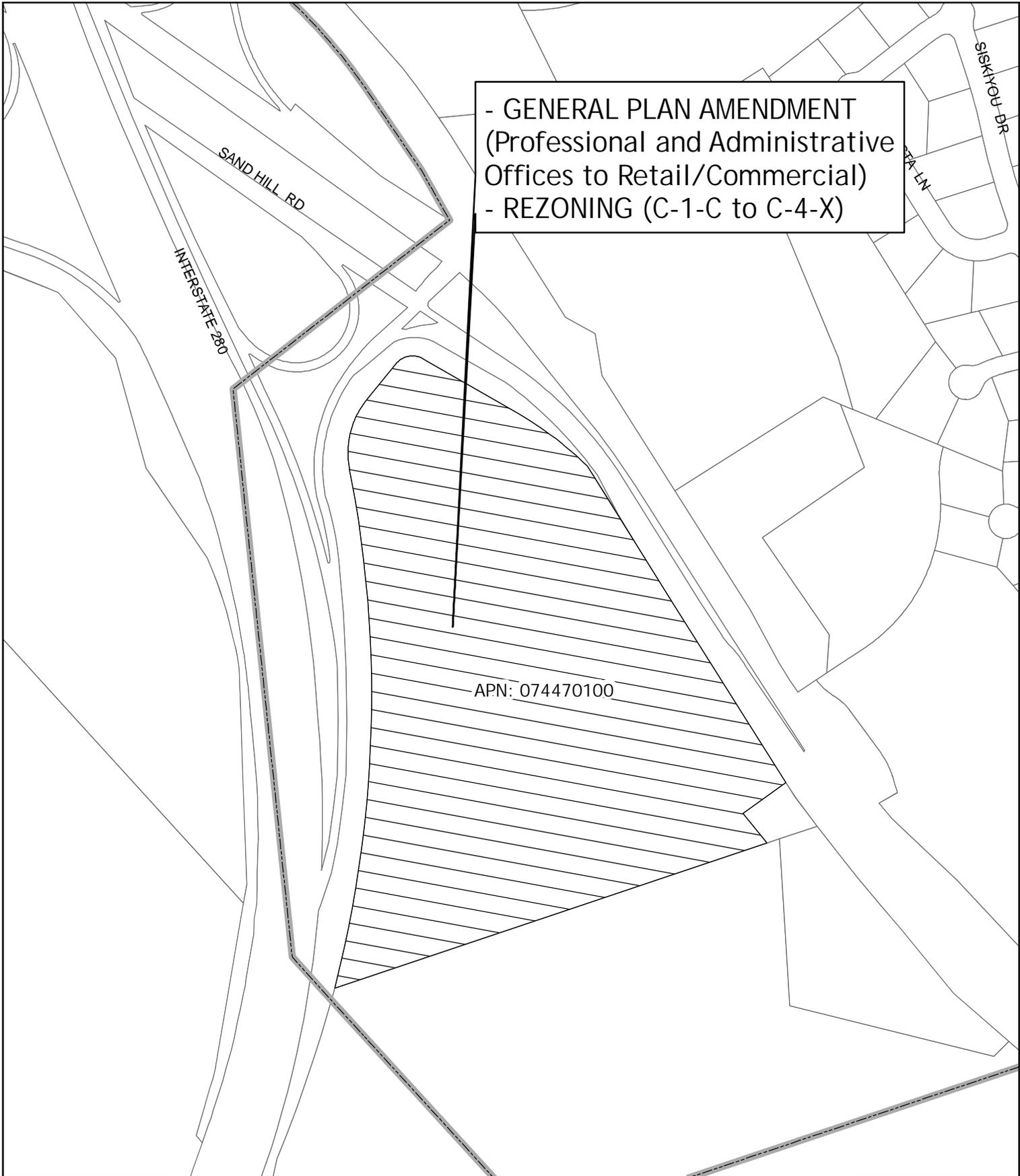
AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:

APPROVED:

Nicholas P. Jellins
Mayor, City of Menlo Park

ATTEST:

Silvia M. Vonderlinden
City Clerk



- GENERAL PLAN AMENDMENT
(Professional and Administrative
Offices to Retail/Commercial)
- REZONING (C-1-C to C-4-X)

APN: 074470100



CITY OF MENLO PARK

EXHIBIT A

2825 SAND HILL ROAD

SCALE: 1" = 300'



LEGAL DESCRIPTION

Real property in the City of Menlo Park, County of San Mateo, State of California, described as follows:

Parcel One

All that certain real property being a portion of Lot 2 as said lot is shown on that certain map of Arguello Subdivision No. 1, Menlo Park, San Mateo County, California, as filed for record on November 15, 1966, in the Office of the Recorder of the County of San Mateo, in Book 65 of Maps, at page 44, and being more particularly described as follows:

BEGINNING at a point on the Easterly line of the above-mentioned Lot 2, said line being contiguous with the Westerly line of Lot 1 of the afore-mentioned Arguello Subdivision No. 1, said point bearing South 14 deg. 46' 50" West a distance of 60.15 feet from the intersection of the above-mentioned Easterly line of Lot 2, and the Southerly line of Sand Hill Road, as said Sand Hill Road is shown on the above-mentioned map of Arguello Subdivision No. 1, said point of beginning also lying on the Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project, Urban Extension Project UE-1004-4; thence from said point of beginning continuing along said Easterly line of Lot 2 South 14 deg. 46' 50" West 121.50 feet; thence leaving said Easterly line South 84 deg. 01' 39" West 89.23 feet; thence North 02 deg. 16' 10" West 121.77 feet to a point on the above-mentioned Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project; thence along the above-mentioned Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project South 88 deg. 51' 40" East 30.00 feet to a point on a non-tangent curve to the left, having a radius of 4552.00 feet, a line radial to said curve from said point bears North 02 deg. 50' 42" West; thence along said non-tangent curve through a central angle of 1 deg. 11' 33", a distance of 94.74 feet to the point of beginning.

Parcel Two

A non-exclusive easement for ingress and egress over a strip of land of Lot 2 of Arguello Subdivision No. 1 extending along the entire length of the westerly boundary of the parcel herein described, and being more particularly described as follows:

BEGINNING at a point on the Easterly line of the above-mentioned Lot 2, said line being contiguous with the Westerly line of Lot 1 of the afore-mentioned Arguello Subdivision No. 1; thence along said Easterly line of Lot 2 South 14 deg. 46' 50" West 60.15 feet to the Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project, Urban Extension Project UE-1004-4; thence leaving said Easterly line of Lot 2 and along the Southerly line of Sand Hill Road as relocated by said Improvement Project on the arc of a curve to the right having a radius of 4552.00 feet (a line radial to said curve bears North 4 deg. 02' 15" West); thence along said curve through a central angle of 1 deg. 11' 33", an arc distance of 94.74 feet; thence North 88 deg. 51' 40" West 30.00 feet to the TRUE POINT OF BEGINNING of the easement to be described;

THENCE FROM SAID TRUE POINT OF BEGINNING, continuing along said Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project North 88 deg. 51' 40" West 48.16 feet; thence leaving said Southerly line South 22 deg. 00' 00" East 18.20 feet; thence South 02 deg. 16' 10" East 105.00 feet; thence South 88 deg. 51' 40" East 42.00 feet; thence

North 02 deg. 16' 10" West 121.77 feet to the TRUE POINT OF BEGINNING. Said easement is for access to Lot 1 of the Arguello Subdivision No. 1.

APN: 074-470-090

JPN: 074 047 470 09A

Parcel Three

Parcel B as shown on that certain map entitled "PARCEL MAP BEING A RESUBDIVISION OF LOTS 1 & 2, ARGUELLO SUBDIVISION NO. 1, VOL. 65, PAGE 44 MENLO PARK SAN MATEO COUNTY, CALIFORNIA", filed in the office of the County Recorder of San Mateo County, California on June 10, 1970 in Volume 10 of Parcel Maps at page 25, and as further shown on that certain Record of Survey filed on April 24, 1987 in Volume 10 of License Land Surveyor at page 52.

Parcel Four

A non exclusive easement for ingress and egress within a portion of Lot 2 as shown on that certain map entitled "ARGUELLO SUBDIVISION NO. 1 MENLO PARK SAN MATEO COUNTY, CALIFORNIA", filed in the office of the County Recorder of San Mateo County, California on November 15, 1966 in Volume 65 of Maps at page 44 more particularly described as follows:

BEGINNING at a point on the Easterly line of the above mentioned Lot 2, said line being contiguous with the Westerly line of Lot 1 of the afore mentioned Arguello Subdivision No. 1, said point bearing South 14° 46' 50" West a distance of 60.15 feet from the intersection of the above mentioned Easterly line of Lot 2, and the Southerly line of Sand Hill Road, as said Sand Hill Road is shown on the above mentioned map of Arguello Subdivision No. 1, said point of beginning also lying on the Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project, Urban Extension Project UE 1004 4; thence from said point of beginning continuing along said Easterly line of Lot 2 South 14° 46' 50" West 121.50 feet; thence leaving said Easterly line South 84° 01' 39" West 89.23 feet; thence North 02° 16' 10" West 121.77 feet to a point on the above mentioned Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project; thence along the above mentioned Southerly line of Sand Hill Road as relocated by the Sand Hill Road Improvement Project South 88° 51' 40" East 30.00 feet to a point on a non tangent curve to the left, having a radius of 4552.00 feet, (a line radial to said curve from said point bears North 02° 50' 42" West); thence along said non tangent curve through a central angle of 1° 11' 33", a distance of 94.74 feet to the point of beginning. Said easement is for access to Lot 2 of the Arguello Subdivision No. 1.

APN: 074-470-100

JPN: 074 047 470 10A