TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER
DATE: April 25, 2005
DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT

SUBJECT: 1129-1137 SAN ANTONIO ROAD [04IPT-02305]: REQUEST BY CHRIS BEACH OF KIER & WRIGHT ON BEHALF OF CBC BAY VIEW PARTNERS LLC FOR A TENTATIVE MAP FOR COMMERCIAL CONDOMINIUMS WITHIN THREE EXISTING BUILDINGS, IN ORDER TO CREATE 10 COMMERCIAL CONDOMINIUM UNITS. ENVIRONMENTAL ASSESSMENT: CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECOMMENDATION
Staff and the Planning and Transportation Commission (Commission) recommend that the City Council approve the proposed Tentative Map to create (10) commercial condominium units at 1129-1137 San Antonio Road based upon the findings and conditions contained within the Record of Land Use Action (Attachment A).

DISCUSSION
Located on a 198,677 square foot site near the terminus of San Antonio Road adjacent to the Palo Alto Baylands, the site is improved with three single story commercial buildings totaling 67,400 square feet. The project would not include any physical changes to the site other than the creation of condominium air space units. The tentative map would create 10 “for sale” commercial condominiums ranging in size from 5,000 – 8,800 square feet. Much like residential condominiums, commercial condominiums allow businesses to purchase their office or research and development space instead of leasing such space.

BOARD/COMMISSION REVIEW AND RECOMMENDATIONS
On March 30, 2005, this project was heard by the Planning and Transportation Commission (Commission), who recommended (5-0-0-2) that the City Council approve the Tentative Map to create ten commercial condominium units. Commissioners discussed the current uses on the site and questioned the applicant about the possible eviction of current tenants if the map were to be approved. The applicant expressed the intent to keep all current tenants since each has a lease
and stated that the map would provide flexibility to the existing tenants to continue to lease their spaces or purchase them to stabilize their tenancy.

Commissioners discussed the existing 4’ wide footpath at the rear of the property that had developed from continued use over time as a convenient way to access trails in the Palo Alto Baylands from the project site. The Commission expressed its belief, based on observation of the path being used during the noon hour, that the path had become a benefit to tenants. Commissioners also noted that maintaining the path would be consistent with Policy L-46 of the Comprehensive Plan since it improved pedestrian connections to the Baylands. The Commission recommended that a condition of approval be added for the path to be maintained as a permanent path access to the Baylands. This condition has been added to the Record of Land Use Action (see conditions #2 of Attachment A).

Commissioners also questioned how the continued maintenance of the common space and common exteriors would occur when the project was converted to commercial condominiums since homeowner’s associations typically manage these aspects of residential condominiums. The Commission recommended that Condition #2 be modified to add a provision requiring future maintenance of the site and building exteriors to the restrictive covenants (CC&R’s) which are to submitted for City Attorney review and approval along with the Final Map.

Other than the applicant, there were no members of the public who spoke. The Commission minutes are attached to this report (Attachment E).

ENVIRONMENTAL REVIEW
The project is categorically exempt from the California Environmental Quality Act per section 15301(k)—Subdivision of existing commercial or industrial buildings.

PREPARED BY: _____________________________________________
CHRISTOPHER RIORDAN
Planner

DEPARTMENT HEAD REVIEW: ________________________________________
STEVE EMSLIE
Director of Planning and Community Environment

CITY MANAGER APPROVAL: ___________________________________________
EMILY HARRISON
Assistant City Manager
ATTACHMENTS
A. Record of Land Use Action
B. Zoning Compliance Table
C. Applicant’s Project Description Letter
D. Planning & Transportation Commission Report dated March 30, 2005 (without attachments)
E. Draft Planning & Transportation Commission excerpt verbatim minutes, March 30, 2005
F. Tentative Map (Council packet only)

COURTESY COPIES:
Chris Beach, Kier & Wright
CBC Bay View Partners LLC
Penny Ellson