TO:  HONORABLE CITY COUNCIL
FROM:  CITY MANAGER  DEPARTMENT:  PLANNING & COMMUNITY ENVIRONMENT
DATE:  FEBRUARY 11, 2008  CMR:139:08

SUBJECT:  ADOPTION OF A: (1) MITIGATED NEGATIVE DECLARATION FOR 1001 SAN ANTONIO AVENUE (CIARDELLA’S) AND (2) RESOLUTION APPROVING A COMPREHENSIVE PLAN LAND USE DESIGNATION OF LIGHT INDUSTRIAL FOR 1001 SAN ANTONIO AVENUE; AND (3) ORDINANCE REZONING APPROXIMATELY 1.8 ACRES OF CALTRANS-OWNED LAND, LOCATED AT THE SOUTHWEST CORNER OF THE TERMINUS OF TRANSPORT ROAD, FROM PUBLIC FACILITIES DISTRICT (PF) TO GENERAL MANUFACTURING DISTRICT (GM) FOR 1001 SAN ANTONIO AVENUE (CIARDELLA’S).

RECOMMENDATION:
Staff and the Planning and Transportation Commission (P&TC) recommend the City Council:

1. Adopt the Mitigated Negative Declaration (Attachment D) for 1001 San Antonio Avenue;

2. Adopt by Resolution a Comprehensive Plan designation of Light Industrial where no Comprehensive Plan land use designation currently exists (Attachment A); and

3. Adopt an Ordinance (Attachment B) to rezone the 1.81-acre site from Public Facilities (PF) to General Manufacturing (GM).

BACKGROUND:
In the fall of 2007, CalTrans began to lease the subject land to Ciardella’s, a local garden supply center. On October 22, 2007, the Council received a staff report (CMR 396:07, Attachment C), heard comments from the applicant regarding the rezoning and land use change, and continued its review to a date uncertain, to allow the applicant to submit an architectural review application facilitating a more complete environmental review. The applicant submitted the application and staff prepared and circulated a revised environmental document. The Architectural Review Board (ARB) conducted a public hearing on the proposed site improvements on December 20, 2007, and recommended approval to the Director of Planning and Community Environment. The Director issued a conditional approval of the architectural review application based upon the revised environmental document and ARB recommendation, pending action on the zone change.

The adjacent property owner at 4007-4009 Transport Road has participated in all public hearings on this matter. Her focus has been on ensuring adequate conditions for her paper company
tenant, and she has requested that Caltrans lease a portion of the subject property to her for the provision of parking spaces for her tenants. Staff and the applicant met with the adjacent property owner and the revised plans submitted for architectural review address the neighbor’s concerns.

**BOARD/COMMISSION REVIEW AND RECOMMENDATIONS**

As noted in the previous staff report, the P&TC recommended that the City Council approve the Mitigated Negative Declaration and the requested land use designation and zone change as recommended by staff. The P&TC staff report and meeting minutes attached to the October 22, 2007 CMR can be found on the City’s website.

At its meeting on December 20, 2007, the ARB received staff’s report (Attachment F) and recommended unanimously that the Director approve the ARB application. At the conclusion of the public review period on the revised environmental document, the ARB application was conditionally approved by the Director on January 3, 2008, as reflected in the approval letter (Attachment E) and based on ARB findings and approval conditions. The 14-day appeal period of the Director’s ARB approval ended on January 17, 2008. No appeal was filed.

**RESOURCE IMPACT**

Changing the zoning of the proposed site will allow Ciardella’s to operate as a permitted use on the site and remain a local Palo Alto enterprise, retaining sales tax generated by the business in Palo Alto.

**POLICY IMPLICATIONS**

The proposed change in the Zoning Map is consistent with the zoning of adjacent lands that also have frontage on Transport Road and San Antonio Avenue. The extension of the GM zoning onto this property will enable the property owner (Caltrans) to lease state property to a long-standing private business, subject to satisfaction of ARB approval conditions and mitigation measures, and in compliance with the GM regulations. These require all uses to be conducted in such a manner as to preclude any nuisance, hazard, or commonly recognized offensive conditions. The requested GM zoning is in accord with the Light Industrial land use designation proposed for the site as defined in the Palo Alto Comprehensive Plan (PACP). The site is within the San Antonio Road industrial area referenced in the PACP’s land use definition of Light Industrial, which, similar to the GM zone requirements, indicates that emission of fumes, noise, smoke or other pollutants is strictly controlled and that floor area ratio is limited to .5:1.

**ENVIRONMENTAL REVIEW**

The attached Mitigated Negative Declaration (Attachment D) was prepared for the rezoning, land use designation, and architectural review applications, and circulated through the State Clearinghouse for a 30 day public review period that ended on January 3, 2008. The Director, in conditionally approving the ARB application, relied upon this document, which will now allow Council to approve the rezoning and land use designation to establish Ciardella’s as a permitted use. The environmental document addresses Ciardella’s use of the site and physical improvements thereto, and the six mitigation measures were designed to mitigate potential on-site and off-site impacts related to both the site improvements and business operations, with
particular attention to the impacts at 4007-4009 Transport Road. Mitigation measures are
designed to:

1. Reduce wind-blown dust emissions during operations;
2. Minimize the free-fall of transferred materials and generation of construction dust;
3. Designate a contact person and provide signage to address operational complaints;
4. Require best management practices and performance standards to be met;
5. Allow only San Antonio egress, supported by signage and website information; and
6. Focus delivery hours from suppliers to early morning hours to the extent practicable.

These measures will be implemented upon plan check, construction inspection, and code
enforcement during ongoing operations.

PREPARED BY: ________________________________
AMY FRENCH
Manager of Current Planning

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

CITY MANAGER APPROVAL: ________________
EMILY HARRISON
Assistant City Manager

ATTACHMENTS
Attachment A: Resolution Amending Land Use Map
Attachment B: Ordinance Amending the Zoning Map
Attachment C: CMR 396:07 dated October 22, 2007
Attachment D: Mitigated Negative Declaration and Initial Study dated November 30, 2007
Attachment E: ARB approval letter dated January 3, 2008
Attachment F: ARB staff report dated December 20, 2007

COURTESY COPIES:
Larry Ciardella, President of Ciardella’s
Bob Budelli, Vice President of Ciardella’s
Nicolas P. Jellins, Esq.
Elizabeth Bridges, Esq.
Jim Bozionelos, CalTrans, Division of Right of Way
Peter Gilli, Deputy Zoning Administrator, City of Mountain View