

TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: NOVEMBER 14, 2005 CMR: 419:05

SUBJECT: ADOPTION OF ORDINANCE DEDICATING 13.27 ACRES OF THE LAND FORMERLY KNOWN AS THE PENINSULA OPEN SPACE TRUST ARASTRADERO GATEWAY PRESERVE FOR PARK LAND; RECOMMENDATION TO INITIATE ZONE CHANGE TO PUBLIC FACILITY (PF)

REPORT IN BRIEF

This report asks Council to adopt an ordinance dedicating 13.27 acres of land, formerly known as the Peninsula Open Space Trust Arastradero Gateway Preserve, as park land and as a part of the Enid Pearson Arastradero Preserve. Once dedicated, the land will be conserved and protected as open space, contiguous with the surrounding Preserve. Staff also recommends that Council direct staff to initiate a zone change for the acquired property from an Open Space zone to a Public Facility (PF) designation, in conformance with the surrounding preserve.

RECOMMENDATION

Staff recommends that Council:

1. Adopt the attached ordinance (Attachment A) reserving 13.27 acres of land formerly owned by the Peninsula Open Space Trust and purchased by the City of Palo Alto on September 31, 2005, for park, recreation and/or conservation lands and uses.
2. Direct Planning staff to initiate a zone change from Open Space to Public Facilities.

BACKGROUND

On September 12, 2005, Council approved the purchase of the 13.27-acre Arastradero Gateway property from the Peninsula Open Space Trust (POST) and the expenditure of \$1,110,305 from the Budget Stabilization Reserve Fund to finance the acquisition of the property (CMR:368:05).

The purchase of this property to expand open space and recreational opportunities has been an objective of the City since 1978 when former Mayor Byron Sher attempted to purchase the property from Mrs. Bressler. Numerous subsequent attempts had been made to acquire the property from the Bressler family. In 2002, at the urging of the City of Palo Alto, POST bought the property at a bankruptcy auction from the Bressler family with the intent of protecting the land from development and providing the City of Palo Alto the opportunity to buy the property at a later date when resources became available for its purchase. To date, staff has sought and obtained grants totaling \$2,592,210 for the purchase of the property. The purchase of the property from POST was finalized on September 31, 2005.

DISCUSSION

Article VIII of the City Charter states: "All lands owned or controlled by the city which are or will be used for park, playground, recreation or conservation purposes shall be dedicated for such purposes by ordinance." Additionally the Charter states that all dedicated parklands shall be listed, with their legal description and map, in Section 22 of the Municipal Code.

This report recommends dedicating the 13.27-acre site as park land. The purchase agreement with the Peninsula Open Space Trust approved by the City Council on September 12, 2005, and the funding agreement with Santa Clara County approved by Council on February 22, 2005 (CMR:156:05) included the approval of a conservation easement that permanently protects this parcel as undeveloped park land. The adoption of the proposed park dedication would further protect this property as park land under the terms of the Palo Alto Municipal Code and Charter.

RESOURCE IMPACT

As discussed in the Resource Impact section of CMR: 368:05 (approval of the purchase agreement), the operation and maintenance of the property as park land would have very slight impacts on the Open Space operating budget or to the workload of park rangers. The property is completely surrounded by the Enid Pearson Arastradero Preserve and can be easily monitored by rangers from adjoining trails and roads. The increase in operational costs to maintain and patrol this property is estimated at \$2,000 annually. This additional cost will be absorbed by the Open Space operating budget.

POLICY IMPLICATIONS

The proposed open space park is consistent with and implements policies in the Comprehensive Plan that guide land use, community services and facilities. Specifically, the acquisition and protection of open space land is consistent with Policies N-2 and N-4 of the Natural Environment element of the Comprehensive Plan.

ENVIRONMENTAL REVIEW

Dedication of this site as park land is exempt from the requirements of the California Environmental Quality Act (“CEQA”) under section 15061(b) of the CEQA Guidelines. The intended use of the property as protected open space will not change with its dedication as park land. Therefore, the dedication of this property as park land would not result in any direct or foreseeable indirect changes to the environment. Environmental review would be required and conducted prior to any physical changes, including any development of the property for recreational activities or the construction of any recreational facilities in the future.

PREPARED BY: _____

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DEPARTMENT HEAD: _____

RICHARD JAMES
Director of Community Services

CITY MANAGER APPROVAL: _____

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ATTACHMENTS

Attachment A: Ordinance of the Council of the City of Palo Alto Adding Section 22.08.331 of Chapter 22.08 (Park Dedications) of Title 2 of the Palo Alto Municipal Code to Dedicate a 13.27 Acre Parcel of Land (Parcel 3) Formerly Known as the Arastradero Gateway Preserve

Exhibit A-21.9: Property Legal Description and Map