

**CITY OF FOSTER CITY/
ESTERO MUNICIPAL IMPROVEMENT DISTRICT**

SPECIAL MEETING OF FEBRUARY 27, 2006

MINUTES

CALL TO ORDER

The duly called and noticed special meeting of the City Council of the City of Foster City, sitting as said Council and as ex officio the Board of Directors of the Estero Municipal Improvement District (EMID), of February 27, 2006 was called to order at 7:00 p.m. in the Council Chambers, 620 Foster City Boulevard, Foster City, San Mateo County, California, by Mayor/President Linda Koelling.

ROLL CALL

PRESENT: City Councilmembers/ex officio EMID Directors Ron Cox, Pam Frisella, John Kiramis, Rick Wykoff, and Mayor/President Linda Koelling.

ABSENT: None.

STAFF PRESENT: James C. Hardy, City/District Manager; Jean B. Savaree, City Attorney/District Legal Counsel; Kristi A. Chappelle, Assistant City Manager; Richard B. Marks, Community Development Director; Kevin Miller, Director of Parks and Recreation; Ramon Towne, Director of Public Works; Steve Courtney, Video Technician; and Therese L. Calic, City Clerk/District Secretary/Recording Secretary.

STUDY SESSION

GENERAL PLAN UPDATE/LAND USE AND CIRCULATION ELEMENT/COMMERCIAL – INDUSTRIAL PROPERTIES IN THE CHESS DRIVE/HATCH DRIVE AND PILGRIM DRIVE/TRITON DRIVE COMMERCIAL – INDUSTRIAL AREAS. MINUTE ORDER NO. 970.

Community Development Director Marks presented the staff report.

No public testimony was given.

Discussion ensued.

Motion by Vice Mayor/Vice President Cox, seconded by Councilmember/Director Frisella, and carried 4-1-0, Councilmember/Director Wykoff voted “No,” to adopt Minute Order No. 970, approving the Land Use and Circulation Element Goals, Policies and Implementation Measures Relevant to the Chess Drive/Hatch Drive and Pilgrim Drive/Triton Drive Commercial -- Industrial Areas, as follows:

1. Goals LUC-A through LUC-K pursuant to the staff report.

2. Goal LUC-new would state:

Encourage Redevelopment of Under-utilized Properties with Increased Density/Intensity of Uses.

Encourage the aggregation and redevelopment of under-utilized properties and/or outdated buildings in the older commercial/industrial areas of the City, specifically the Chess Drive/Hatch Drive and Pilgrim Drive/Triton Drive areas, by allowing substantially increased density and intensity of uses.

3. Chess Drive/Hatch Drive Commercial -- Industrial Area Policies:

- Allow and encourage change that responds to the current and potential market and employment needs of businesses and that results in greater density and intensity of land uses and a broad array of land uses including commercial, office, industrial, biotechnology and compatible uses, but prohibiting uses that would be incompatible with any of these uses, such as housing, schools, day care and other uses serving primarily children;
- Allow and encourage vertically and horizontally mixed use developments that maximize the use of land, organize land uses and pedestrian/vehicular circulation in a safe, logical and functional manner and establish a safe, logical and functional design relationship with adjacent land uses;
- Ensure that all new buildings, whether free-standing or multi-building developments and all expansions of existing buildings demonstrate consistency with the City's infrastructure, including sewer, storm sewer, and street system capacity; and
- Ensure that all existing and new businesses and land uses allowed met the requirements of Chapter 17.68, General Performance Standards, of Title 17, Zoning, of the Foster City Municipal Code.

4. Implementation Measures for the Chess Drive/Hatch Drive Commercial -- Industrial Area pursuant to the staff report.

5. Pilgrim Drive/Triton Drive Commercial -- Industrial Area Policies:

- Allow and encourage change that responds to the current and potential market and employment needs of businesses and that result in greater density and intensity of land uses and a broad array of land uses including multi-family housing, retail, office, and light industrial uses but prohibiting uses that would be incompatible with housing and uses serving primarily children;
- Ensure that all new buildings, whether free-standing or multi-building developments and all expansions of existing buildings demonstrate consistency with the City's infrastructure, including sewer, storm sewer, parks/recreation facilities, and street system capacity;
- Allow and encourage vertically and horizontally mixed use developments that maximize the use of land, organize land uses and pedestrian/vehicular circulation in a safe, logical and functional manner and establish a safe, logical and functional design relationship with adjacent land uses; and
- Ensure that all existing and businesses and land uses allowed meet the requirements of Chapter 17.68, General Performance Standards, of Title 17, Zoning, of the Foster City Municipal Code.

6. Implementation Measures for the Pilgrim Drive/Triton Drive Commercial -- Industrial Area pursuant to the staff report.

GENERAL PLAN UPDATE/LAND USE AND CIRCULATION ELEMENT/SUGGESTED PROCESS TO DEVELOP, RECEIVE, AND EVALUATE SUGGESTIONS FOR LAND USES ON ALL OR A PORTION OF THE CITY-OWNED 15 ACRES OF PROPERTY ADJACENT TO THE FOSTER CITY GOVERNMENT CENTER.

Community Development Director Marks presented the staff report.

The following members of the public addressed the Council/Board:

1. Russ Harter, 627 Matsonia Drive; and
2. John Igoe, 901 Mariner's Island Boulevard, representing Saris Regis.

Discussion ensued.

Motion by Councilmember/Director Frisella, seconded by Councilmember/Director Kiramis, carried unanimously, 5-0-0, to adopt Minute Order No. 971, directing staff to begin the following formal land use evaluation process for the 15 acres of property owned by the City located adjacent to the Government Center and along Shell and Foster City Boulevards, with the understanding that the time frame is ambitious and may be modified.

<i>Suggested City Actions</i>	<i>Suggested Time Frame for Accomplishing Action</i>
Review City/District Budget documents	Normal City/District budget review process January 2006 – June 2006
<i>City Council Actions/Next 10 Months</i>	
Determine Fair Market Land Value/Fair Market Lease Rent	March 2006 – May 2006
Invite and receive written conceptual land use suggestions* from the public and assess the public interest in and market potential of the subject 15-acre property	March 2006 – May 2006
Joint City Council/Planning Commission Town Hall Meeting to hear ideas from the public for potential land uses of the 15-acre property	April 2006
Joint City Council/Planning Commission review/conceptual written land use suggestions	June 2006
Determine City Council financial expectations	July 2006
Establish Site Organizing Principles	July 2006
Invite and receive actual land use proposals**	July 2006 – August 2006
Staff reviews and evaluates land use proposals received and meets with and seeks direction from the City Council	August 2006 – September 2006

<p>At a Regular Meeting, the City Council selects the person(s), business(es), or organization(s) it wishes to open negotiations with regarding development of the subject 15- acre property</p>	<p>September 2006</p>
<p>Under the direction of the City Council, staff conducts negotiations with the person(s), business(es), or organization(s) selected</p>	<p>September 2006 – November 2006</p>
<p>The City and the person(s), business(es), or organization(s) selected enter into a Purchase and Sale Agreement or a Land Lease Agreement for the development of the subject 15- acres</p>	<p>November 2006 – December 2006</p>
<p>Person(s), business(es), or organization(s) selected begin the usual land development process with the City Council, Planning Commission and staff; submit applications and plans for all required permits/actions</p>	<p>January 2007 - ?</p>
<p>Staff prepares the General Plan Land Use and Circulation Element DRAFT document and the required environmental assessment document (DRAFT Environmental Impact Report) and schedules them for one or more Planning Commission Study Sessions to amend the General Plan Land Use and Circulation Element and a Public Hearing on the DRAFT Environmental Impact Report (DEIR)***</p>	<p>Estimated Time Frame 7 Months</p>
<p>Staff prepares responses to comments received from public agencies and the public on the DEIR. The Planning Commission holds a Public Hearing to consider the DRAFT General Plan Land Use and Circulation Element and the Final Environmental Impact Report (FEIR) and to offer formal recommendations to the City Council. The Planning Commission's recommendations are reviewed by the City Council at one or more City Council Public Hearings. Members of the Planning Commission and the public are invited to discuss the recommendations at these Hearings. The City Council either makes a decision adopting the amended General Plan Land Use and Circulation Element and the FEIR or remands them to the Planning Commission for further evaluation and/or alternative recommendations.</p>	<p>Estimated Time Frame 3 Months</p>

**Suggestion* – At this stage in the process, given that the views and opinions of Foster City property owners/residents will be solicited, requiring very formal, detailed information typical of land use proposals might have the effect of discouraging public participation in the process. Hence the term, “suggestion” has been used. While some degree of written information is required in order to understand and roughly evaluate the ideas received, staff recommends that at this stage in the land use evaluation process the required level of information supporting an idea be minimal and that this term be applied.

***Proposal* – At the stage in the land use evaluation process that a City solicits the interest of people, businesses, and organizations that process, finance, and construct various land uses, the term commonly associated with such solicitation is “proposal”. The term denotes an expectation on the part of the sender (City) that respondents can and will demonstrate a level of sophistication, experience, organizational capability, financial strength/commitment, and professionalism upon which the City can rely, conduct background checks on, and conduct legitimate business transactions with, all of which can reasonably be thought to result in the construction of the desired land use(s).

*****The Environmental Impact Report will also evaluate recommended changes to the General Plan Land Use and Circulation Element affecting the Chess Drive/Hatch Drive and Pilgrim Drive/Triton Drive Commercial – Industrial Areas, as well as the proposed amendments to the General Plan Parks, Open Space, and Conservation Element which is currently being worked on jointly by the Parks and Recreation and the Community Development Departments.

ADJOURNMENT

Hearing no objection from the City Council/EMID Board, Mayor/President Koelling adjourned meeting. Meeting adjourned at 9:00 p.m.