

TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: WHITNEY MCNAIR, CONSULTING PLANNER
JULIE MOLONEY, CONSULTING PLANNER

CASE NO.: EA-07-001

OWNER: NORTHWESTERN MUTUAL LIFE AND SEA CLIFF
PROPERTIES

PROJECT LOCATION: AREAS BOUNDED BY CHESS DRIVE TO THE NORTHWEST,
SR 92 TO THE SOUTHEAST, FOSTER CITY BOULEVARD TO
THE SOUTHWEST AND THE SAN FRANCISCO BAY TO THE
NORTHEAST

REQUESTED ACTION/PURPOSE

- Identify issues appropriate for review under the provisions of the California Environmental Quality Act (CEQA) to be studied in the Environmental Impact Report.

KEY PLANNING OR DESIGN ISSUES

- Identify potential environmental impacts to be studied in the EIR.

BACKGROUND

Project Overview

An application was submitted on October 23, 2007 by Northwestern Mutual Life and Sea Cliff Properties for a General Plan Amendment to adopt the Chess Drive/Hatch Drive Commercial/Industrial area policies into the General Plan, a General Development Plan/Rezoning from M-1/PD (Light Industrial/Planned Development) to CM/PD (Commercial Mix/Planned Development District) with a General Development Plan and a Development Agreement redevelop ±190,000 square feet of low-scale one and two story commercial/industrial buildings on ±11.89 acres with up to 800,000 square feet of office use in three (3) multi-story buildings up to 10 stories in height above 4 levels of parking served by a combination of at-grade parking lots and a large, shared parking structure.

Project Review

This project was the subject of two Planning Commission Study Sessions on July 19, 2007, and October 18, 2007. The focus of each of these Study Sessions was to review and discuss the project proposal. Future study sessions will be scheduled to review building massing and architecture.

Public Notice

The City issued a Notice of Preparation (NOP) of an EIR on May 9, 2008. The public was advised of the NOP and this Scoping Session in the following ways:

- ¼ page ad in the Foster City Islander (May 9, 21 and 28, 2008)
- ¼ page ad in the Daily Journal (May 9, 21, and 28, 2008)
- ¼ page ad in the Examiner (May 9, 21, and 28, 2008)
- Mailing to the property applicants, owners and persons who expressed interest in receiving project updates (May 9, 2008)
- Mailing to property owners who own property within a 300-foot radius (May 9, 2008)
- Mailing to affected state agencies and State Clearinghouse
- Email to the Project Listserve (May 8, 2008)
- Foster City web site: www.fostercity.org (May 19, 2008)
- Foster City TV Channel 27 (May 14 through June 6, 2008)
- Public posting places (May 15, 2008)
- Leo Ryan Park Marquee (May 14 through June 6, 2008)

CEQA/Environmental Review Process

The purpose of the California Environmental Quality Act (CEQA), Section 21000-21177 of the Public Resources Code, is to maintain and provide a high quality environment. CEQA meets these goals by requiring local governments to disclose the significant environmental effects of a project to the community as well as to the decision makers and to identify and implement measures that will limit the environmental effects of a project.

The City will be the Lead Agency pursuant to CEQA and for the land use and project approvals. As such, it is the City's responsibility to conduct the appropriate environmental review. CEQA requires that the Lead Agency issue a NOP after deciding that an EIR is required for a project. After reviewing the proposed project staff has determined that potentially significant environmental impacts would be associated with the proposed project and in consultation with the applicant, has determined that preparation of an EIR is required. In this instance, because an EIR has been determined to be necessary, preparation of an Initial Study is not required by CEQA. The NOP was published on May 9, 2008 (see attached).

This Public Scoping Session is being held to solicit public and Commission comments on what information and analysis should be contained in the EIR. In addition to oral comments received at the Scoping Session, written comments will be accepted until June 10, 2008.

Comments on the scope of the EIR should focus on the potential effects the project might have on the environment. Section 15360 of the State CEQA Guidelines defines the environment as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance." Comments not related to the environmental impacts of the project are inappropriate at this time. Comments regarding the design of the proposed buildings should be held for later meetings.

Following the close of the 30-day review period for the NOP, other key milestones for the CEQA and approval process will include:

- Completion of the Draft EIR

- Notice of Completion and Availability of Draft EIR
- 45-day Public Review Period
- Public Hearing on Draft EIR (during 45-day review period)
- Preparation of Responses to Comments
- Preparation of Final EIR and Mitigation Monitoring and Reporting Program
- Planning Commission Recommendation regarding certification of Final EIR and approval of Project applications
- City Council consideration of EIR certification and project approvals

EIR Request for Proposal

On April 21, 2008, the Community Development Department received City Council approval to issue a Request for Proposals (RFP) to five environmental consulting firms regarding the preparation of an Environmental Impact Report (EIR) to meet the requirements of the California Environmental Quality Act for the subject project. The five consulting firms were: LSA Associates, David J. Powers and Associates, RRM Design Group, Circle Point and Environmental Science Associates. Initial response to the RFP returned no proposals, however, the deadline was extended to May 23, 2008 and the City then received one proposal from LSA Associates, Inc. City Council review is scheduled for June 16, 2008 to consider an agreement for consulting services with the firm recommended by the Community Development Department Director.

ANALYSIS

The EIR for this project is anticipated to examine thoroughly the following probable environmental effects of the project (as indicated in the attached NOP):

- Land Use – Conformance with General Plan and zoning ordinance
- Traffic –impacts on levels of service, capacity of roadways. Analysis will be in compliance with the City/County Association of Governments of San Mateo County (C/CAG) and Caltrans requirements for traffic analysis. The Multi-Project Traffic Analysis currently underway includes this project.
- Project On-Site Circulation – Analysis of whether vehicular, pedestrian, bicycle site circulation meets City requirements and whether it will impact surrounding land uses.
- Parking – conformance with City codes.
- Noise –noise impacts from surrounding streets and freeway; noise impacts from increased traffic; conformance with noise standards and associated mitigations for buildings affected by street and/or freeway noise; construction related noise.
- Air Quality –impacts from increased traffic and construction
- Hydrology and Water Quality –potential impacts on lagoon and storm water drainage.
- Geology, Seismicity and Soils –seismic safety issues
- Visual Impacts

- Public Services –police, fire, school, parks, utilities
- Utilities and Drainage – Analysis of current utility (such as storm drain system) and water supply capacity analysis and if increased need for utility capacity or water supply will be generated by the project.
- Biology and Wetlands –potential impacts of the project on any flora and/or fauna identified in the area.
- Wind – Analysis of impacts on potential for project to increase wind or cause disruptive airflow patterns.
- Shade and Shadow – Analysis of shadow affect of buildings on surrounding properties.
- Cultural Resources
- Cumulative impacts – CEQA requires that analysis be presented on whether the impacts of the project, including other current and foreseeable projects and impacts that are individually considered limited, would result in a significant impact when considered as a whole.
- Alternatives – CEQA requires consideration of alternatives to the proposed project and analysis of those associated impacts. Alternatives will include “no project” and smaller project alternatives.

Topics that are not anticipated to be significant and, after review, may be excluded from a detailed analysis in the EIR include: Historic Resources, Agricultural Resources and Mineral Resources.

The level of analysis for these subject areas may be refined or additional subject areas may be analyzed based on responses to the NOP and/or refinements to the project that may occur subsequent to the publication of the NOP. In addition, the EIR will include an analysis of the project’s consistency with relevant City and regional planning policies, as well as potential alternatives to the proposed project.

SUMMARY

Comments from the June 5, 2008 meeting will be used to refine the scope of the EIR to be prepared to analyze the potential impacts of the proposed project. The Draft EIR will then be circulated for public review and comment.

NEXT STEPS

The preparation of the Draft EIR will take place over the next several months. Upon completion of the Draft EIR, a Notice of Completion will be prepared, notifying the public that the environmental document is available for public review and comment. A Planning Commission Public Hearing will be held during the public review period to invite comments from the Commission and the public on the Draft EIR. A Final EIR will incorporate the responses to the comments received on the Draft EIR and any necessary modifications to the previous document. After the Final EIR is available, the Planning Commission and City Council will hold Public Hearings to consider the certification of the Final EIR and whether to approve the

proposed General Plan Amendment and General Development Plan/Rezoning. During the time the Draft EIR is being prepared, an additional Study Session is planned to continue to review and discuss the project design.

INDIVIDUALS, ORGANIZATIONS AND DOCUMENTS CONSULTED

John Igoe, Sares Regis
Zach Wilson, Sares Regis
Valerio Dewalt Train Architects
Ray Towne, Department of Public Works
Chuck Haney, Community Development Department – Building Inspection Division
Guidelines for the Implementation of the California Environmental Quality Act
Foster City Environmental Review Guidelines

ATTACHMENTS:

Scope of Work prepared by the City of Foster City
Proposed Work Program proposed by EIR consultant LSA Associates
Newspaper advertisement published in local papers
Notice of Preparation dated May 9, 2008