

ORDINANCE NO. 637

AN ORDINANCE OF THE CITY OF FOSTER CITY APPROVING AN AMENDMENT TO THE FOSTER CITY ZONING MAP TO MODIFY THE PREVIOUSLY APPROVED GENERAL DEVELOPMENT PLAN FOR THE ± 100-ACRE LANDS KNOWN AS METRO CENTER IN THE C-2/PD (GENERAL BUSINESS/PLANNED DEVELOPMENT) DISTRICT TO A C-2/PD (GENERAL BUSINESS/PLANNED DEVELOPMENT) DISTRICT WITH AN AMENDED GENERAL DEVELOPMENT PLAN TO ALLOW UP TO TWO (2) HOTELS WITH A TOTAL OF APPROXIMATELY 298 GUEST ROOMS, INCLUDING A SEVEN-STORY, APPROXIMATELY 89'-0"-TALL, ±83,187 SQUARE-FOOT LIMITED-SERVICE HOTEL WITH 151 GUEST ROOMS ON LOT 20 OF TRACT MAP NO. 91-83– SOUTHWEST CORNER OF METRO CENTER BOULEVARD AND SHELL BOULEVARD IN TOWN CENTER NEIGHBORHOOD (TC) – APN 094-522-350– MPQ FOSTER CITY METRO CENTER LLC – RZ2019-0002

CITY OF FOSTER CITY

THE CITY COUNCIL OF THE CITY OF FOSTER CITY DOES FIND AND ORDAIN as follows:

Section 1. The City Council, based on facts and analysis in the Staff Reports, written and oral testimony, mitigation measures included in the project, and exhibits presented, finds:

- A. The proposed General Development Plan Amendment/Rezoning will be in furtherance of, and, in accordance with, the General Plan of the City of Foster City because: 1) it will be consistent with Town Center General Plan Land Use designation of the subject site; 2) it will be architecturally compatible with the surrounding buildings in the Metro Center Development and would be sympathetic to the character and style of the adjacent Visa office building and Cityhomes East residential complex, as well as of surrounding land uses, including the Costco warehouse store and Metro retail center, and, therefore, would promote “proper site planning, architectural design and property maintenance” as stated in the Land Use Goal LUC-B and Land Use Policies LUC-B-1 and LUC-B-3; 3) it will provide for economic development, consistent with the principles of Land Use Goal LUC-I; 4) it will maintain a variety of land uses, consistent with Land Use Goal LUC-C; 5) it will be adequately served by municipal services and facilities, per Goal LUC-L; 6) it will provide for adequate on-site parking for safe and effective circulation, consistent with Land Use Goal LUC-G and Policy LUC-G-1; 7) it will provide enough land for commercial uses, consistent with Land Use Policy LUC-D-1; and 8) it will mitigate construction noise to the extent feasible per Policy N-5 and foster economic development by providing a new lodging facility on an underutilized site within the Town Center neighborhood, increasing the assessed value of the property, and providing for additional community-serving services at the subject property in particular and the City in general; and
- B. The proposed General Development Plan Amendment/ Rezoning will explicitly allow a second hotel in Metro Center and an increase in the total square footage of hotel use by approximately 83,187 square feet. The additional hotel and

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increase in the number of guest rooms and hotel use square footage will not be detrimental to present and planned surrounding uses because, although it would intensify the land use on the existing site, the new use would not create conflicts with existing on-site or surrounding land uses, because the proximity of the proposed limited-service hotel to major employers in Foster City will allow visitors to access lodging with the convenience of walking, biking, or accessing shuttle transport to and from surrounding destinations, including employment centers, shopping, and local airports, while an additional lodging facility will assist in absorbing the forecasted rise in demand for overnight accommodations without creating competition with, or otherwise adversely impacting, existing hotels in the City; and

- C. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and proposed densities will not generate traffic in such amounts as to overload the street network outside the development; and
- D. Existing and proposed utility services and facilities and other public improvements such as fire and police protection; school services; open space and recreation; water supply; wastewater treatment; solid waste and electricity; and gas and telecommunications are adequate for the proposed hotel density and land use because: 1) the proposed project will be required to meet all Fire Code requirements, and, therefore, will not reduce the ability of the Foster City Fire Department to meet existing performance standards or exceed the capabilities of existing or planned staffing levels; 2) no increased demand in police services is anticipated, and no new school facilities will be required as a result of the project; 3) the Water Supply Assessment prepared analyzed the water demand of this project, as well as future projects, and concluded that EMID has sufficient resources to serve the hotel and associated site improvements without detrimentally impacting water supplies for existing and planned future developments; 4) anticipated wastewater discharges are not high enough to require the expansion of the existing wastewater treatment system, and, as recommended in the Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (and incorporated in the project mitigation measures), the developer will be required to prepare a sewer flow projection study and a hydraulic capacity study to verify that the existing sewer system is sized to adequately manage additional wastewater volumes generated by the project and will be required to prepare a Stormwater Pollution Prevention Plan to ensure that the proposed drainage system will accommodate stormwater runoff from the project; 5) the amount of solid waste generated will not substantially shorten the life of existing landfill facility/ies; and 6) other utilities serving the project are expected to be adequate; and
- E. The proposed ratios for off-street parking supported by the Transportation Demand Management (TDM) program dated June 4, 2021 and the parking impact analysis report prepared by Hexagon Consultants dated June 4, 2021 remain consistent with the provisions of Chapter 17.62, Off-Street Parking Regulations, and Chapter 17.36, PD Planned Development, of Title 17 Zoning, of the Foster City Municipal Code; and

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- F. The Planned Development will not have a detrimental and immitigable financial impact on the City or the Estero Municipal Improvement District; and
- G. The proposed Rezoning will not have any significant adverse environmental impacts and is the subject of an Environmental Impact Report recommended for certification by the Planning Commission through Resolution P-07-20, adopted on June 18 2020; and is the subject of Findings under the California Environmental Quality Act (CEQA) and Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP), recommend for approval by the Planning Commission through Resolution P-09-21, adopted on June 17, 2021. The EIR was adopted, and the CEQA Findings and SCAMMRP were approved, by the City Council on July 19, 2021 (SCH #2019049065, EA2019-0001).

Section 2. The City of Foster City Zoning Map is hereby amended to reclassify that property known as Metro Center from its existing General Development Plan to an amended General Development Plan to allow development of up to 359,300 sq. ft. of retail commercial use(s); 1,588.231 sq. ft. of general office use(s); 45,000 sq. ft. of medical/ dental use(s); 312 townhouses; 60 senior citizen apartments; a 147-room courtyard style hotel with internal support coffee shop, lounge and meeting rooms; a 7,500 sq. ft. children's day care center; a one- acre (plus or minus) park /open space area; supporting day care and health /exercise and cafeteria facilities contained within office buildings, at-grade parking and parking structures, with internal site circulation to be provided by Metro Center Boulevard, to include up to two (2) hotels with a total of approximately 298 guest rooms, including a seven-story, approximately 89'-0"-tall, ±83,187 square-foot limited-service hotel with 151 guest rooms on the southwest corner of Metro Center Boulevard and Shell Boulevards (APN 094-522-350), on Lot 20 of Tract Map No. 91-83, in accordance with plans on file in the Community Development Department, as shown on Exhibits A-1 and A-2 of this Ordinance, attached hereto and incorporated herein.

Section 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Taking Effect. This Ordinance shall take effect and be in force thirty (30) days from and after its adoption.

Section 5. Posting. Within fifteen (15) days after the adoption of this Ordinance, the City Clerk shall have it posted in three (3) public places designated by the City Council.

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This Ordinance was introduced and read on the 19th day of July, 2021, and passed and adopted on the 2nd day of August, 2021, by the following vote:

AYES: Councilmembers Awasthi, Froomin, Sullivan, and Mayor Gehani

NOES: None

ABSENT: Councilmember Hindi

ABSTAIN: None

DocuSigned by:

Sanjay Gehani

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SANJAY GEHANI, MAYOR

ATTEST:

DocuSigned by:

Yelena Cappello

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PRISCILLA SCHAUS, CITY CLERK

BY: YELENA CAPPELLO, DEPUTY CITY CLERK

EXHIBIT A**AMENDED GENERAL DEVELOPMENT PLAN FOR METRO CENTER**

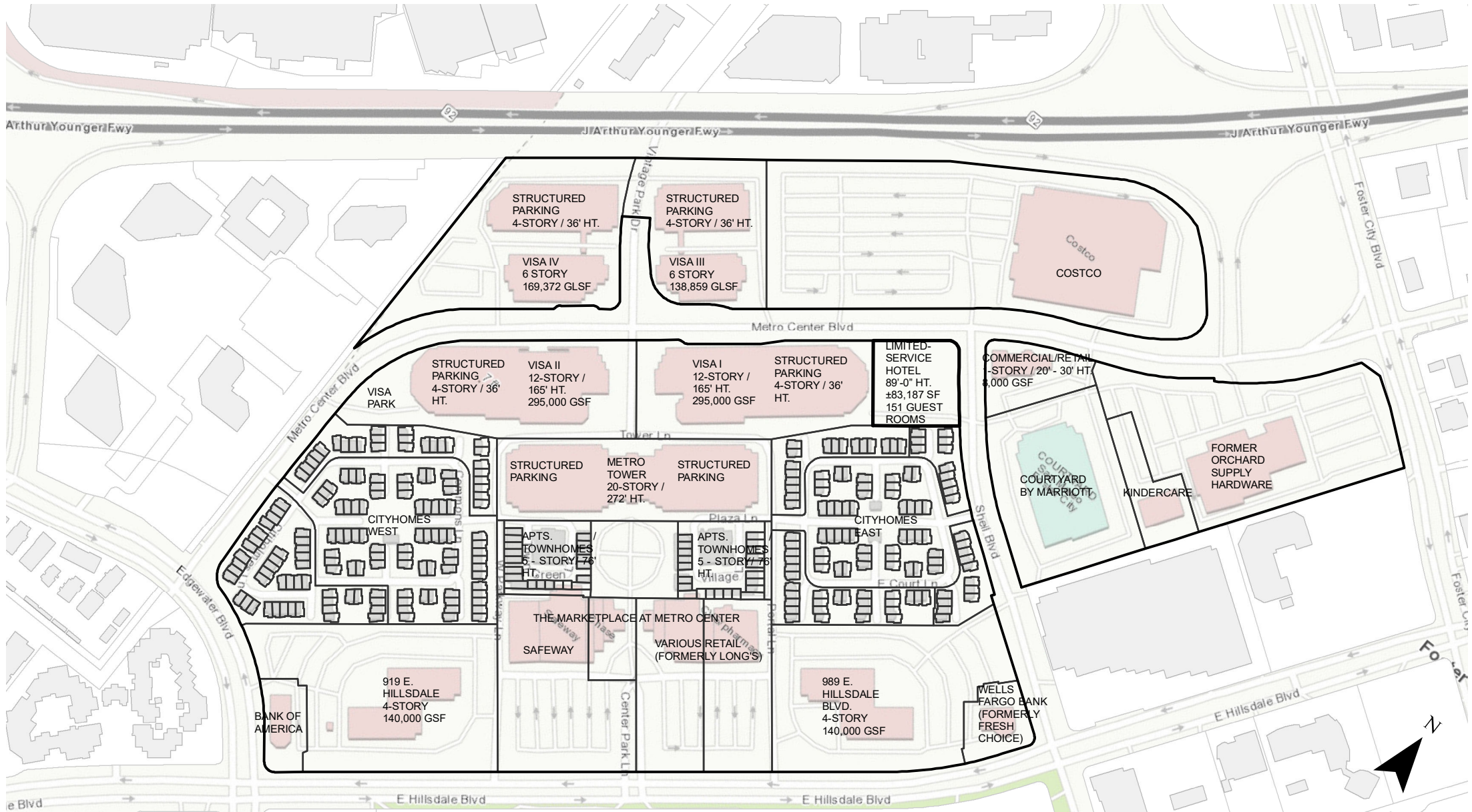
The C-2 /PD (General Business/Planned Development) District zoning of the subject ± 100-acre lands known as Metro Center (APNS: 094-051-010 through 094-051-790, 094-052-010 through 094-052-380, 094-053-010 through 094-053-280, 094-522-160, 094-522-170, 094-522-180, 094-522-190, 094-522-200, 094-522-210, 094-522-220, 094-522-230, 094-522-240, 094-522-250, 094-522-260, 094-522-270, 094-522-290, 094-522-320, 094-522-330, 094-522-340, 094-522-350, 094-522-360, 094-522-370, 094-524-040, 094-524-050, 094-524-150, 094-524-160, 094-524-190, 094-525-020, 094-526-040, 094-526-050, 094-526-060, 094-960-010 through 094-960-520, 094-970-010 through 094-970-670) is herewith limited and specified to allow development of up to 359,300 sq. ft. of retail commercial use(s); 1,588.231 sq. ft. of general office use(s); 45,000 sq. ft. of medical/ dental use(s); 312 townhouses; 60 senior citizen apartments; a 147-room courtyard style hotel with internal support coffee shop, lounge and meeting rooms; a 7,500 sq. ft. children's day care center; a one- acre (plus or minus) park /open space area; supporting day care and health /exercise and cafeteria facilities contained within office buildings, at-grade parking and parking structures, with internal site circulation to be provided by Metro Center Boulevard, Shell Boulevard and various internal roadways, all in accordance with the plans on file in the Planning Division of the Community Development Department.

As a result of this amendment as described above, the General Development Plan for the ± 100- acre Metro Center development is as follows:

The C-2 /PD (General Business/Planned Development) District zoning of the subject ± 100-acre lands known as Metro Center (APNS: 094-051-010 through 094-051-790, 094-052-010 through 094-052-380, 094-053-010 through 094-053-280, 094-522-160, 094-522-170, 094-522-180, 094-522-190, 094-522-200, 094-522-210, 094-522-220, 094-522-230, 094-522-240, 094-522-250, 094-522-260, 094-522-270, 094-522-290, 094-522-320, 094-522-330, 094-522-340, 094-522-350, 094-522-360, 094-522-370, 094-524-040, 094-524-050, 094-524-150, 094-524-160, 094-524-190, 094-525-020, 094-526-040, 094-526-050, 094-526-060, 094-960-010 through 094-960-520, 094-970-010 through 094-970-670) is herewith limited and specified to allow development of up to 359,300 sq. ft. of retail commercial use(s); 1,588.231 sq. ft. of general office use(s); 45,000 sq. ft. of medical/ dental use(s); 312 townhouses; 60 senior citizen apartments; a 147-room courtyard style hotel with internal support coffee shop, lounge and meeting rooms and an approximately 89'-0"-tall, ±83,187 square-foot limited-service hotel with 151 guest rooms, for a total of two (2) hotels with a total of approximately 298 guest rooms; a 7,500 sq. ft. children's day care center; a one- acre (plus or minus) park /open space area; supporting day care and health /exercise and cafeteria facilities contained within office buildings, at-grade parking and parking structures, with internal site circulation to be provided by Metro Center Boulevard, Shell Boulevard and various internal roadways, all in accordance with the plans on file in the Planning Division of the Community Development Department.

Exhibit B

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The C-2/PD (General Business/Planned Development) District zoning of the subject ±100-acre lands known as Metro Center (APNS: 094-051-010 through 094-051-790, 094-052-010 through 094-052-380, 094-053-010 through 094-053-280, 094-522-160, 094-522-170, 094-522-180, 094-522-190, 094-522-200, 094-522-210, 094-522-220, 094-522-230, 094-522-240, 094-522-250, 094-522-260, 094-522-270, 094-522-290, 094-522-320, 094-522-330, 094-522-340, 094-522-350, 094-522-360, 094-522-370, 094-524-040, 094-524-050, 094-524-150, 094-524-160, 094-524-190, 094-525-020, 094-526-040, 094-526-050, 094-526-060, 094-960-010 through 094-960-520, 094-970-010 through 094-970-670) is herewith limited and specified to allow development of up to 359,300 sq. ft. of retail commercial use(s); 1,588,231 sq. ft. of general office use(s); 45,000 sq. ft. of medical/ dental use(s); 312 townhouses; 60 senior citizen apartments; a 147-room courtyard style hotel with internal support coffee shop, lounge and meeting rooms, and an approximately 89'-0"-tall, ±83,187 square-foot limited-service hotel with 151 guest rooms, for a total of two (2) hotels with a total of approximately 298 guest rooms; a 7,500 sq. ft. children's day care center; a one acre (plus or minus) park/open space area; supporting day care and health/exercise and cafeteria facilities contained within office buildings, at-grade parking and parking structures, with internal site circulation to be provided by Metro Center Boulevard, Shell Boulevard and various internal roadways, all in accordance with the plans on file in the Planning Division of the Community Development Department.

CERTIFICATE OF POSTING

I, Priscilla Schaus, hereby certify as follows:

That I am, and at all time herein mentioned, was the duly acting and qualified City Clerk/District Secretary of the **City of Foster City**, Foster City, San Mateo County, California.

I further certify to the proper posting of:

Ordinance No. 637, "An Ordinance of the City of Foster City Approving an Amendment to the Foster City Zoning Map to Modify the Previously Approved General Development Plan for the ± 100-acre Lands Known as Metro Center in the C-2/PD (General Business/planned Development) District to a C-2/PD (General Business/Planned Development) District With an Amended General Development Plan to Allow Up to Two (2) Hotels With a Total of Approximately 298 Guest Rooms, Including a Seven-Story, Approximately 89'-0"-tall, ±83,187 Square-foot Limited-service Hotel With 151 Guest Rooms on Lot 20 of Tract Map No. 91-83– Southwest Corner of Metro Center Boulevard and Shell Boulevard in Town Center Neighborhood (TC) – APN094-522-350– MPQ Foster City Metro Center LLC – RRZ2019-0002"

in the following three public places of the **City of Foster City**, Foster City, San Mateo County, California:

1. Recreation Center Lobby
650 Shell Boulevard
2. Council Chambers
620 Foster City Boulevard
3. Foster City Public Library
1000 E. Hillsdale Boulevard

Executed at the **City of Foster City**, Foster City, San Mateo County, California this 3rd day of August, 2021.

DocuSigned by:

Yelena Cappello

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Priscilla Schaus

City Clerk

By: Yelena Cappello

Deputy City Clerk