

RESOLUTION NO. P- 08 -22

CITY OF FOSTER CITY PLANNING COMMISSION

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY RECOMMENDING CITY COUNCIL ADOPTION OF AN AMENDMENT TO THE FOSTER CITY ZONING MAP TO MODIFY THE PREVIOUSLY APPROVED GENERAL DEVELOPMENT PLAN FOR THE 5.135-ACRE PARCEL KNOWN AS 1065 EAST HILLSDALE BOULEVARD AT THE NORTHWEST CORNER OF FOSTER CITY BOULEVARD AND EAST HILLSDALE BOULEVARD IN THE C-2/PD (GENERAL BUSINESS/PLANNED DEVELOPMENT COMBINING) DISTRICT WITH AN AMENDED GENERAL DEVELOPMENT PLAN TO ALLOW AN APPROXIMATELY 5,200 SQUARE FEET OF RESTAURANT/RETAIL USE – APN 094-512-080 - RZ2021-0002

WHEREAS, On December 1, 1980, an Ordinance (Ordinance 209) was passed to reclassify the approximately 5.135 – acre parcel located at 1065 East Hillsdale Boulevard to General Business/Planned Development (C-2/PD) District with a General Development Plan to allow development of 115,436 sq. ft. of four-story commercial office use with 392 parking spaces; and

WHEREAS, Urban Planning Partners, as project applicant, on behalf of property owner DIVCOWEST (DWF IV Century Plaza, LLC) has requested an amendment to allow approximately 5,200 square feet of restaurant/retail use on the 5.135-acre parcel located at 1065 East Hillsdale Boulevard (APN 094-512-080) in the Town Center neighborhood; and

WHEREAS, the City of Foster City, in accordance with the requirements of the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) and implementing guidelines (“CEQA”) adopted by the Secretary of Resources, and the City of Foster City Environmental Review Guidelines, has found the project to be Categorically Exempt from CEQA, under Class 3, CEQA Section 15303 New Construction or Conversion of Small Structures. Neither the project nor site meet any of the exceptions to the exemptions (EA2021-0012); and

WHEREAS, full public involvement in the preparation of this amendment to the Foster City Zoning Map has been ensured through duly noticed Planning Commission Study Sessions, public hearings, and other means, including the following:

1. Special Meeting with the City Council Land Use Subcommittee – January 15, 2021 – to review proposed use and to provide early feedback and general direction to the applicant on their application.
2. City Council Development Project Preliminary Review Meeting – January 19, 2021– to introduce the proposed project to the City Council and public and receive feedback prior to initiating the entitlement process.
3. Planning Commission Study Session – May 6, 2021– to solicit early feedback from the Commission and the public on the proposed project.
4. Planning Commission Public Hearing – April 7, 2022 – to consider and make recommendations to the City Council regarding the Rezoning/General Development Plan Amendment of the C-2/PD District where the item was continued to May 5, 2022.

5. Planning Commission Public Hearing – May 5, 2022 – to consider and make recommendations to the City Council regarding the Rezoning/General Development Plan Amendment of the C-2/PD District.

WHEREAS, the Planning Commission is required by state law to hold at least one (1) Public Hearing before recommending adoption of an amendment to the City's Zoning Map and the current C-2/PD (General Business/Planned Development) District; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on facts and analysis in the Staff Report, written and oral testimony, and in the project and exhibits presented, finds:

1. The proposed Rezoning/General Development Plan Amendment will be in furtherance of and in accordance with the General Plan of the City of Foster City because the proposal will:
 - a. be consistent with Town Center General Plan Land Use designation of the subject site;
 - b. result in greater variety of land uses as well as density and intensity of land uses in the area consistent with Land Use Goal LUC-C and Policy LUC-C-12;
 - c. provide basic goods and services to residents and employees within walking distance consistent with Land Use Goal H and Use Policies D-1, D-2, E-8, and H-3;
 - d. architecturally complement the surrounding built environment, with the overall scale and massing of the project punctuating the verticality of adjacent buildings and structures while remaining in character with the overall development pattern of the neighborhood consistent with Land Use Goal LUC-B;
 - e. provide for economic development consistent with the principles of Land Use Goal LUC-I; and
 - f. provide for adequate on-site parking for safe and effective circulation, consistent with Land Use Goal LUC-G and Policy LUC-G-1.
2. The proposed project is a feasible and viable concept, supported by economic analysis. It would be primarily an ancillary amenity for existing and/or future occupants of the Century Plaza Office building, nearby employees, and residents, and provide an opportunity for typically under-capitalized, local entrepreneurs and small business owners access to brick-and-mortar accommodation.
3. 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, gas and telecommunications are adequate for the proposed retail/commercial pavilion because:
 - a. 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 the existing or planned staffing levels;
 - b. No increased demand is anticipated for police services; no new school facilities will be required as a result of the project;
 - c. Anticipated water requirements or wastewater discharges are not high enough to require the expansion of the existing systems;
 - d. The project was included in the City of Foster City/Estero Municipal Improvement District (EMID) 2020 Urban Water Management Plan;

- e. The amount of solid waste generated will not substantially shorten the life of the landfill; and
 - f. Other utilities serving the project are expected to be adequate.
4. While implementation of the project will remove 27 parking spaces and increase parking demand on the site, the existing parking on the site will meet the demand. A parking study provided by the applicant describes peak parking demand for the existing office and the proposed pavilion in operation. Extrapolating from parking surveys, the peak parking demand for the existing office use, when 100% occupied, would total 233 parking stalls. Using the Institute of Transportation Engineers (ITE) demand, the proposed pavilion would have a demand for 86 parking stalls. There would be a total demand for 319 spaces where 332 are provided; there would be an excess of 13 parking spaces.
5. The proposed project will not have a detrimental and immitigable financial impact on the City.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Foster City hereby recommends City Council approval of an amendment to modify the previously approved General Development Plan for the 5.135-acre parcel known as 1065 East Hillsdale Boulevard at the northwest corner of Foster City Boulevard and East Hillsdale Boulevard (APN 094-512-080) in the C-2/PD (General Business/Planned Development Combining) district to a C-2/PD district with an amended General Development Plan to allow an approximately 5,200 square-foot, stand-alone outdoor pavilion structure featuring restaurant/retail tenant spaces, outdoor seating, and restrooms, primarily as an ancillary amenity to the existing Century Plaza office use, and removal of 27 parking stalls in accordance with the General Development Plan as shown on Exhibits A and B of this Resolution, attached hereto and incorporated herein.

PASSED AND ADOPTED as a Resolution of the City of Foster City Planning Commission at a Regular Meeting held on May 5, 2022, by the following vote:

AYES, COMMISSIONERS: Adams, Haddad and Jagtiani

NOES, COMMISSIONERS: Bronitsky

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS: Chairman Wykoff

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Evan Adams
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RICK D. WYKOFF, CHAIRMAN
BY: VICE CHAIR, EVAN ADAMS

ATTEST:

DocuSigned by:
Marlene Subhashini
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MARLENE SUBHASHINI, SECRETARY

EXHIBIT A

AMENDED GENERAL DEVELOPMENT PLAN FOR 1065 EAST HILLSDALE BOULEVARD

The C-2/PD (General Business/Planned Development) zoning of the 5.135-acre parcel at the northwest corner of Foster City Boulevard and East Hillsdale Boulevard is herewith limited and specified to allow development of 115,436 sq. ft. (gross floor area) of four-story commercial office use and 5,200 sq. ft. (gross floor area) of single-story restaurant/retail tenant spaces with 332 parking spaces. all in accordance with the plans on file in the Planning Division of the Community Development Department.

EXHIBIT B

General Development Plan Graphic for the 5.135-acre parcel
at 1065 East Hillsdale Boulevard

