

RESOLUTION NO. 2022-138

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY ADOPTING A TEXT AMENDMENT TO THE GENERAL PLAN, LAND USE AND CIRCULATION ELEMENT, "TOWN CENTER COMMERCIAL" LAND USE CATEGORY TO ALLOW RESIDENTIAL, MIXED USE, OFFICE, COMMERCIAL RETAIL, SERVICE AND RESEARCH AND DEVELOPMENT USES FOR THE "TOWN CENTER COMMERCIAL" LAND USE CATEGORY AND FINDING THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) – CITY OF FOSTER CITY – GP2021-0003

CITY OF FOSTER CITY

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

WHEREAS, the City Council is authorized to amend the General Plan governing the physical development of the City of Foster City; and

WHEREAS, since the adoption of the Foster City General Plan subsequent General Plan Elements were adopted and/or updated through various resolutions between the original adoption date to 2020; and

WHEREAS, on February 1, 2016, the Land Use and Circulation Element was updated by Resolution No. 2016-14 with a certified Environmental Impact Report (EA-11-002); and

WHEREAS, Parkside Towers L.P./Harvest Properties, the project applicant, seeks to add Research and Development (R&D) use to the Town Center Land Use Category to facilitate the future conversion of up to 373,646 square feet of existing office space to R&D ("Project") at the Parkside Towers located at 1001 and 1051 East Hillsdale Boulevard (094-524-220); and

WHEREAS, to facilitate the Project, the applicant has proposed a Text Amendment to the Foster City General Plan Town Center Commercial Land Use Category to allow for R&D use within the allowable category; and

WHEREAS, the "Town Center Commercial" Land Use Category currently allows for office use and currently has commercial retail, service and residential development; and

WHEREAS, the Project requires the following entitlements in addition to the proposed General Plan Amendment: a General Development Plan (GDP) Amendment that would add R&D to the allowable uses on the Project site and a Use Permit/Specific Development Plan subject to Conditions of Approval; and

WHEREAS, a Notice of Public Hearing was duly posted for consideration of the General Plan Text Amendment of the Town Center Commercial Land Use Category and the Project at the Planning Commission meeting on November 3, 2022, and on said date the Public Hearing was opened, held and closed; and

WHEREAS, in connection with its actions recommending approval of the Project, the Planning Commission reviewed and considered the General Plan Text Amendment of the "Town Center Commercial" Land Use Category at a noticed public hearing held on November 3, 2022 and, by adoption of Resolution P-13-22 recommended that the City Council adopt the General Plan Text Amendment of the Town Center Commercial Land Use Category; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration by the City Council of the proposed General Plan text amendments at the City Council hearing on December 1, 2022, and on said date, the Public Hearing was opened, held, and closed.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Foster City, based on facts and analysis in the Staff Reports, written and oral testimony, conditions included in the project, and exhibits presented, finds as follows:

1) The above recitals are true and correct and material to this Resolution.

2) 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, this Council finds that the Project is Categorically Exempt from CEQA, under Class 1, CEQA Section 15301 (Existing Facilities). The project would be allowing potential R&D use within an already existing building that facilitates office uses without major changes to the physical building and would involve negligible or no expansion of use. Neither the project nor site meet any of the exceptions to the exemptions identified in CEQA Guidelines section 15300.2 (EA2021-0003).

3) The proposed General Plan Amendment is consistent with the Foster City General Plan, specifically LUC-B, LUC-C, LUC-D, LUC-D-1, LUC-D-2, LUC-D-11, LUC-F-2, LUC-G, LUC-I, and will:

- Maintain and facilitate a variety of land uses including a mix of housing types and commercial uses consistent with the adopted Land Use and Circulation Element of the Foster City General Plan; and
- Promote economic and job growth within Foster City consistent with the adopted Land Use and Circulation Element of the Foster City General Plan.

4) In making the foregoing findings, the City Council declares that it relied upon

and hereby incorporates by reference all correspondence, staff reports, and other related materials.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby adopt a text amendment to the City of Foster City General Plan, Land Use and Circulation Element, "Town Center Commercial" Land Use Category to allow for mix of uses such as residential, commercial retail, service and R&D and shall hereinafter read as set forth in Exhibit A of this Resolution attached hereto and incorporated herein by reference.

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

AYES: Councilmembers Froomin, Hindi, Sullivan and Mayor Awasthi

NOES: None

ABSENT: Councilmember Gehani

ABSTAIN: None

DocuSigned by:



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RICH A AWASTHI, MAYOR

BY: JON FROOMIN, VICE MAYOR

ATTEST:

DocuSigned by:



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PRISCILLA SCHAUS, CITY CLERK

BY: YELENA CAPPELLO, ACTING CITY CLERK

EXHIBIT A

The new Town Center Commercial Land Use Category description shall read as follows:

Town Center Commercial. This designation is reserved for the area located northwest of East Hillsdale Boulevard, bounded by Foster City Boulevard to the north and State Route 92 to the west. The area includes a 100-acre development known as Metro Center, in addition to Parkside Towers and other office developments. The Town Center area is intended to serve as Foster City's downtown core and allows for a mix of uses, including residential, commercial office, retail, service and compatible research and development (R&D). R&D uses are considered compatible with this designation if project design (i.e., site planning, architecture, and landscape architecture) is consistent with nearby uses and functional or operational characteristics of a hazardous or nuisance nature can be mitigated or reduced to an acceptable level through design control. Generally, R&D covers facilities for industrial, scientific, or technological research, product design, prototype production, development, and testing. The highest intensity uses in the City would be allowed, with Floor Area Ratios (FAR) for office/R&D developments ranging from .55 to 2.0 FAR. Town Center office developments located outside Metro Center, have lower FARs which range from 0.18 to 1.5 FAR. Residential developments range from Cityhomes townhouses at 15 units per acre to Metro Senior Apartments at 60 units per acre.