

RESOLUTION NO. P- 11 -18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY RECOMMENDING ADOPTION OF AN AMENDMENT TO THE FOSTER CITY ZONING MAP AMENDING THE GENERAL DEVELOPMENT PLAN FOR THE ±20.75 ACRES BOUNDED BY FOSTER CITY BOULEVARD, TRITON DRIVE, PILGRIM DRIVE, EAST HILLSDALE BOULEVARD AND STATE ROUTE 92 (APN: 094-010-520, -560, -840, -850, 860; 094-010-760, -780, 790) — TO CHANGE THE ZONING DESIGNATION FROM CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) DISTRICT TO CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) DISTRICT WITH A GENERAL DEVELOPMENT PLAN TO ALLOW UP TO 70,057 SQ. FT. OF COMMERCIAL/INDUSTRIAL OFFICE AND 805 HOUSING UNITS, INCLUDING UP TO 64 LIVE-WORK UNITS – PILGRIM TRITON MASTER PLAN AREA — RZ-15-002

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the City of Foster City initiated a study of the Pilgrim Drive/Triton Drive and Chess Drive/Hatch Drive areas in 2005-2006 in order to:

- Promote the retention and expansion of businesses already operating within the City;
- Promote new business development within the City, especially high technology companies;
- Promote and accommodate a more efficient use of land and a more interesting and diverse array of land uses, and increase the opportunities for small, resident serving businesses to remain in or locate in the City, by allowing mixed use developments, as well as housing opportunities (in the Pilgrim Drive/Triton Drive Area only).
- Help meet the unmet and growing need for workforce housing; by allowing housing to be mixed in with new buildings/projects in the Pilgrim Drive/Triton Drive Commercial-Industrial Area; and

WHEREAS, in response to the study initiated by the City in 2005-2006, the City of Foster City amended the Foster City General Plan to incorporate adoption of the Pilgrim Drive/Triton Drive Commercial-Industrial Area goals, policies and implementation measures developed by the study; and

WHEREAS, the owners of properties comprising the Pilgrim Drive/Triton Drive Commercial-Industrial Area (AMB Property Corporation, Foster City Executive Park and Northwestern Mutual Life), submitted an application for the Pilgrim Triton Master Plan project ("Project") consisting of:

- An Amendment to the Foster City General Plan to establish a new Land Use Plan designation for ± 20.75 acres bounded by Foster City Boulevard, Triton Drive, Pilgrim Drive, East Hillsdale Boulevard and State Route 92 from Service Commercial to a mix of Service Commercial and Housing as contained in Resolution No. 2008-38 adopted on April 21, 2008; and
- An Amendment to the Foster City Zoning Map and a General Development Plan for ± 20.75 acres bounded by Foster City Boulevard, Triton Drive, Pilgrim Drive, East Hillsdale Boulevard and State Route 92 to change the zoning from CM/PD (Commercial Mix/Planned Development) District to CM/PD (Commercial Mix/Planned Development) District with a General Development Plan to allow up to 296,000 sq. ft. of commercial/industrial office and up to 730 housing units including up to 64 live-work units as contained in Ordinance 546, adopted on May 5, 2008; and

- The Pilgrim Triton Master Development Agreement in order to provide Developers with some certainty in the land use regulatory process and to promote the development of the Property which will provide public benefits to the City, including the provision of housing and needed infrastructure for area growth; and

WHEREAS, the City of Foster City, in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines adopted by the Secretary of Resources, and the City of Foster City Environmental Review Guidelines, prepared and certified an Environmental Impact Report (EIR) by adoption of Resolution 2008-37 which analyzes the environmental impacts of the proposed Project (SCH #2007012023, EA-06-003); and,

WHEREAS, by Resolution No. 2008-38 adopted on April 21, 2008 and by Ordinance 546 adopted on May 5, 2008, the City Council approved the Master Plan Project; and

WHEREAS, Pilgrim Triton Phase III FC, LP (PTPIII) acquired an approximately 4.78 acre portion of the Property previously owned by AMB Property Corporation, designated as APNs 094-010-520 and 094-010-860 including the parcel designated in the Pilgrim Triton Master Development Agreement as Phase C (APN 094-010-520) and Parcel C of Phase B (APN 094-010-860), collectively the "PTPIII Property;" and

WHEREAS, Regis Homes Bay Area, LLC, on behalf of Pilgrim Triton Phase III FC, LP (PTPIII) submitted applications for Amendment to the Foster City Zoning Map/General Development Plan and Amendment to the Pilgrim Triton Master Development Agreement and Pilgrim Triton Phase C Development Agreement to replace the 225,943 square feet of commercial use and 17 housing units currently allowed on the 4.78 acres located at 551-565 Pilgrim Drive and 1199 Triton Drive pursuant to the 2008 entitlements with up to 70 for-sale townhouses and 22 workforce housing units (collectively, "Pilgrim Triton Phase C"); and

WHEREAS, an Addendum to the Final EIR was prepared by Urban Planning Partners to evaluate the changes to the Pilgrim Triton Master Plan and General Development Plan that have been proposed since certification of the 2008 EIR and concluded that the proposed changes to the project would not result in significant environmental effects beyond those identified in the 2008 EIR; and

WHEREAS, full public involvement in the preparation of this amendment to the Foster City Zoning Map and the General Development Plan has been ensured through multiple Planning Commission Study Sessions, City Council meetings, public hearings and other means, including the following:

1. May 18, 2015: Preliminary review by the City Council at a Public Meeting.
2. August 1, 2016: Preliminary review by the City Council at a Public Meeting.
3. September 15, 2016: Planning Commission Study Session.
4. March 16, 2017: Planning Commission Study Session.
5. October 2, 2017: City Council Public Meeting - City Council reviewed and approved the Term Sheet.
6. January 18, 2018: Planning Commission Study Session to review conceptual site plan.
7. May 7, 2018: City Council Public Meeting - received a status report.
8. May 17, 2018: Planning Commission Study Session to review proposed change in land use and changes to the proposed site plan.
9. June 18, 2018: City Council Public Meeting - received a status report.
10. July 19, 2018: Planning Commission Public Hearing to conduct final public hearing and make recommendations to the City Council.

WHEREAS, the Planning Commission is required by state law to hold at least one public hearing before recommending adoption of an amendment to the City's zoning map; and,

WHEREAS, a Notice of Public Hearing was duly published, posted and mailed for consideration of the Addendum to the Final EIR and amendment to the Foster City Zoning Map/General Development Plan, Amendment to the Pilgrim Triton Master Development Agreement and Pilgrim Triton Phase C Development Agreement at the Planning Commission meeting of July 19, 2018, and on said date the Public Hearing was opened, held and closed; and

WHEREAS, the Planning Commission reviewed and considered the Final EIR, Addendum to the Final EIR and other written correspondence, verbal testimony, staff reports, and background reports and adopted findings, and recommended City Council adoption of such findings, regarding the significant environmental impacts of the proposed project, by adoption of Resolution No. P-10-08 on August 2, 2018; and,

WHEREAS, the Foster City Planning Commission, based on facts and analysis in the Staff Reports, written and oral testimony, mitigation measures included in the project, and exhibits presented, finds:

1. The proposed Rezoning and the planned development will be in furtherance of and in accordance with the General Plan of the City of Foster City because the Master Plan including the amendments to Phase C will provide needed housing pursuant to General Plan Goal H-D, will generate fewer trips than the previously entitled office use in Phase C and thus will help maintain acceptable traffic Levels of Service pursuant to General Plan Policy LUC-F-1 and will provide housing for City employees and first responders pursuant to General Plan Policy H-E-8.
2. The total development in each development phase, including the remaining development phase known as Phase C, will be able to exist as an independent unit and the establishment of up to 70,057 square feet of commercial/industrial office and up to 805 residential units, including up to 64 live/work units, will not be detrimental to present and planned surrounding uses, as shown in the City's adopted General Plan, but will have a beneficial effect which could not be achieved without being located in a Planned Development district because the amendment to Phase C will complement the surrounding development in terms of character, scale and building height and although Phase C will be able to function as an independent unit, it will include the completion of the roadway and pathway system in Pilgrim Triton and the remainder of the Triton Park Plaza.
3. On-site circulation is suitable and adequate to carry anticipated traffic, and the proposed project density will not generate traffic in such amounts as to overload the street network outside the development beyond acceptable City levels as indicated in Section V.G of the Environmental Impact Report and the Addendum and as indicated in the Statement of Overriding Considerations adopted by the City Council by Resolution No. 2008-39 on April 21, 2008.
4. Existing and proposed utility services and facilities and other public improvements are adequate for the office, retail and housing population densities and land uses proposed as indicated in Section V.J. of the Environmental Impact Report and the Addendum.

5. The proposed ratios for off-street parking are substantially consistent with the purpose and intent and parking regulations of the City, as provided in Chapter 17.62, Off-Street Parking Regulations, of the Foster City Municipal Code as indicated in Section V.G. of the Environmental Impact Report and the Addendum, including four deviations from the City's standard parking requirements for Phase C, which are further described in Exhibit B.
6. The planned development will not have a detrimental and unmitigatable financial impact on the City or the Estero Municipal Improvement District as indicated in the *Pilgrim Triton Master Plan Fiscal Impact and Market Analysis* prepared by Hatch Associates, dated March 6, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Foster does hereby recommend that the City Council adopt the Amendment to the Foster City Zoning Map for ±20.75-acre lands bounded by Foster City Boulevard, Triton Drive, Pilgrim Drive, East Hillsdale Boulevard and State Route 92 (APN: 094-010-520, -560, -570, --840, -850, -860; 094-010-760, -780, -790) to change the Zoning designations from CM/PD (Commercial Mix/Planned Development) District to CM/PD (Commercial Mix/Planned Development) District with a General Development Plan to allow up to 70,057 sq. ft. of commercial/industrial office and up to 805 housing units including up to 64 live-work units, as shown on Exhibits A and B to this Resolution attached hereto and incorporated herein.

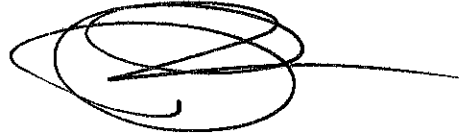
PASSED AND ADOPTED as a Resolution of the City of Foster City Planning Commission
at the Regular Meeting held on August 2, 2018, by the following vote:

AYES, COMMISSIONERS: Avram, Pattum and Williams

NOES, COMMISSIONERS: Wykoff and Chair Dyckman

ABSENT, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

A handwritten signature in black ink, consisting of a large, stylized 'D' with a horizontal line extending to the right.

DAN DYCKMAN, CHAIRMAN

ATTEST:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke.

CURTIS BANKS, SECRETARY



Exhibit B

General Development Plan for Pilgrim-Triton Master Plan
(Replaces Exhibit B attached to Ordinance 546 adopted May 5, 2008)

The CM/PD (Commercial Mix/Planned Development) District of the ±20.75-acre lands bounded by Foster City Boulevard, Triton Drive, Pilgrim Drive, East Hillsdale Boulevard and State Route 92 (APN: 094-010-520, -560, -570, --840, -850, -860; 094-010-760, -780, -790) is herewith limited and specified as follows:

1. The development will include up to 70,057 sq. ft. of commercial/industrial/office and up to 805 residential units, including up to 64 live-work units with the general land use configuration, street layout and building heights as shown in Exhibit A.
2. Twenty percent (20%) of all units in each phase shall be included in an affordable housing program. The required income categories shall be determined with each Specific Development Plan/Use Permit unless already determined by a Development Agreement.
3. Each Specific Development Plan/Use Permit shall include the Transportation Demand Management Plan as required by the City/County Association of Governments. Additional traffic mitigation measures may be included in a Development Agreement and/or may be required as a part of each Specific Development Plan/Use Permit.
4. For Phase C only, based on the facts and analysis in the Staff Reports, written and oral testimony and exhibits presented, the four requested deviations from the standard City parking requirements are hereby granted, including:
 - Allow a 8% waiver of the number of parking stalls required (211 instead of 228)
 - Allow tandem parking in 14 townhouse garages for a total of 28 parking stalls
 - Allow 10 covered stalls (and 12 uncovered stalls) in lieu of the 31 covered stalls for workforce housing
 - Allow the 19 perpendicular parking stalls on Triton Drive (rather than the 10-15 stalls called out in the Development Agreement) to count toward the parking requirements