

ORDINANCE NO. 652

AN ORDINANCE OF THE CITY OF FOSTER CITY OF AN AMENDMENT TO THE FOSTER CITY ZONING MAP TO MODIFY THE PREVIOUSLY APPROVED GENERAL DEVELOPMENT PLAN FOR THE 57-ACRE PORTION OF THE ± 132-ACRES LAND KNOWN AS VINTAGE PARK TO REPLACE THE APPROXIMATELY 11,000 SQUARE-FOOT RESTAURANT USE WITH AN APPROXIMATELY 124,395 SQUARE FEET OF RESEARCH AND DEVELOPMENT (R&D) OFFICE USE, ASSOCIATE PARKING AND SITE IMPROVEMENTS LOCATED AT 388 VINTAGE PARK DRIVE – W-SW 388 OWNER IX L.P. C/O STEELWAVE CDS, LLC – APN 094-901-270 – NEIGHBORHOOD VINTAGE PARK (VP) – RZ2021-0003

CITY OF FOSTER CITY

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

Section 1. The City Council has reviewed the evidence and recommendations of the Planning Commission and based on facts and analysis in the Staff Reports, written and oral testimony, and exhibits presented, finds:

- A. The proposed Rezoning/General Development Plan Amendment would not be detrimental to the general health, welfare and safety of the City of Foster City and 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 the Research/Office Park General Plan Land Use designation of the subject site;
 - b. redevelop an underutilized site and provide for economic development consistent with Land Use Goals LUC-I and LUC-K, and Policy LUC-D;
 - c. promote sustainability through redevelopment of a vacant, urban site, construction of an energy efficiency building consistent with Policies LUC-H-1 and LUC-H-5;
 - d. incorporate high-quality architectural design and materials, providing a fresh statement for the neighborhood in a contemporary style and is in keeping with recently approved Gilead lab office buildings in the Vintage Park neighborhood consistent with Land Use Goal LUC-B; and
 - e. provide for adequate on-site parking for safe and effective circulation, consistent with Land Use Goal LUC-G and Policy LUC-G-1.
- B. The total square footage of Research and Development in the Vintage Park General Development Plan area will increase by approximately 95,931 gross square feet which will not be detrimental to present and planned surrounding uses because, although it would intensify the land use on the existing site, the redeveloped use would be compatible with surrounding land uses; and

- C. 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 R&D building as analyzed in the Initial Study and Draft EIR.
- a. Fire Service. SMC Fire that currently serve the project area have sufficient staffing and capacity to continue serving the site without reducing average response times to the site or vicinity. The proposed project would also be required to meet all applicable fire code regulations.
 - b. Police Service. The existing number of sworn officers can serve the proposed project.
 - c. The anticipated increased demand school, open space or recreation facilities are minimal and would not require the expansion of existing facilities.
 - d. Anticipated water requirements or wastewater discharges are expected to be less than the previous restaurant use and will not require the expansion of the existing systems.
 - 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.
- D. While project will provide 210 parking spaces where 309 are required under the Foster City Municipal code, a Parking Need Study concludes that overall parking demand without any TDM would range from 168 spaces to 207 spaces, and with 15% non-auto use/TDM would range from 143 to 176 spaces. The project TDM Plan concluded that implementation of plan would result in a 44% reduction of vehicle trip, exceeding the 35% threshold set by C/CAG TDM Policy Update. The proposed parking would be adequate to serve the proposed project. Off-street parking requirements in a PD district, allows for deviation from the total number of required to allow for greater flexibility in required parking capacity tailored to individual projects and trends in mobility options; and
- E. The Specific Development Plan/Use Permit(s) for the proposed use will be consistent with the Vintage Park Design Guidelines, the Vintage Park Signage Guidelines and the intent and purpose of Chapter 17.58 of the Foster City Municipal Code in order to ensure that the site and building developed will be well designed and attractive, will function in a safe manner, and will relate well to surrounding sites and buildings in the Vintage Park development; and
- F. The proposed project will not have a detrimental and immitigable financial impact on the City; and
- G. The proposed Rezoning will not have any significant adverse environmental impacts and is the subject of an Environmental Impact Report (SCH #2021070398). The Planning Commission reviewed and considered the Final EIR (consisting of the Draft EIR and the Final Responses to Comments Document) and other written correspondence, verbal testimony, staff reports, and background reports on July 7, 2022 and recommended City Council certification of the Final EIR and adoption of the

Standard Conditions of Approval and Mitigation Monitoring and Reporting Program (SCAMMRP) by the City Council by adoption of Resolution P-11-22. The Final EIR was certified, and the CEQA findings and SCAMMRP were approved, by the City Council on September 19, 2022 (EA2021- 0001).

Section 2. The City of Foster City Zoning Map is hereby amended to modify the previously approved General Development Plan on the 57-acre portion of the $\pm$ 132-acres land known as Vintage Park to replace the approximately 11,000 square-foot restaurant use to a C-M/PD Commercial Mix/Planned Development Combining District with an amended General Development plan to allow an approximately 124,395-square-foot, four-story (81-foot-tall) Research and Development (R&D) building including 210 parking spaces located at 388 Vintage Park Drive (APN 094-901-270) as shown on Exhibits A and B of this Resolution, 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/This Ordinance was introduced and read on the 19th day of September, 2022, and passed and adopted on the 3rd day of October, 2022, by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:

Richa Awasthi

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RICHA AWASTHI, MAYOR

ATTEST:

DocuSigned by:

Yelena Cappello

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PRISCILLA SCHAUS, CITY CLERK

BY: YELENA CAPPELLO, ACTING CITY CLERK

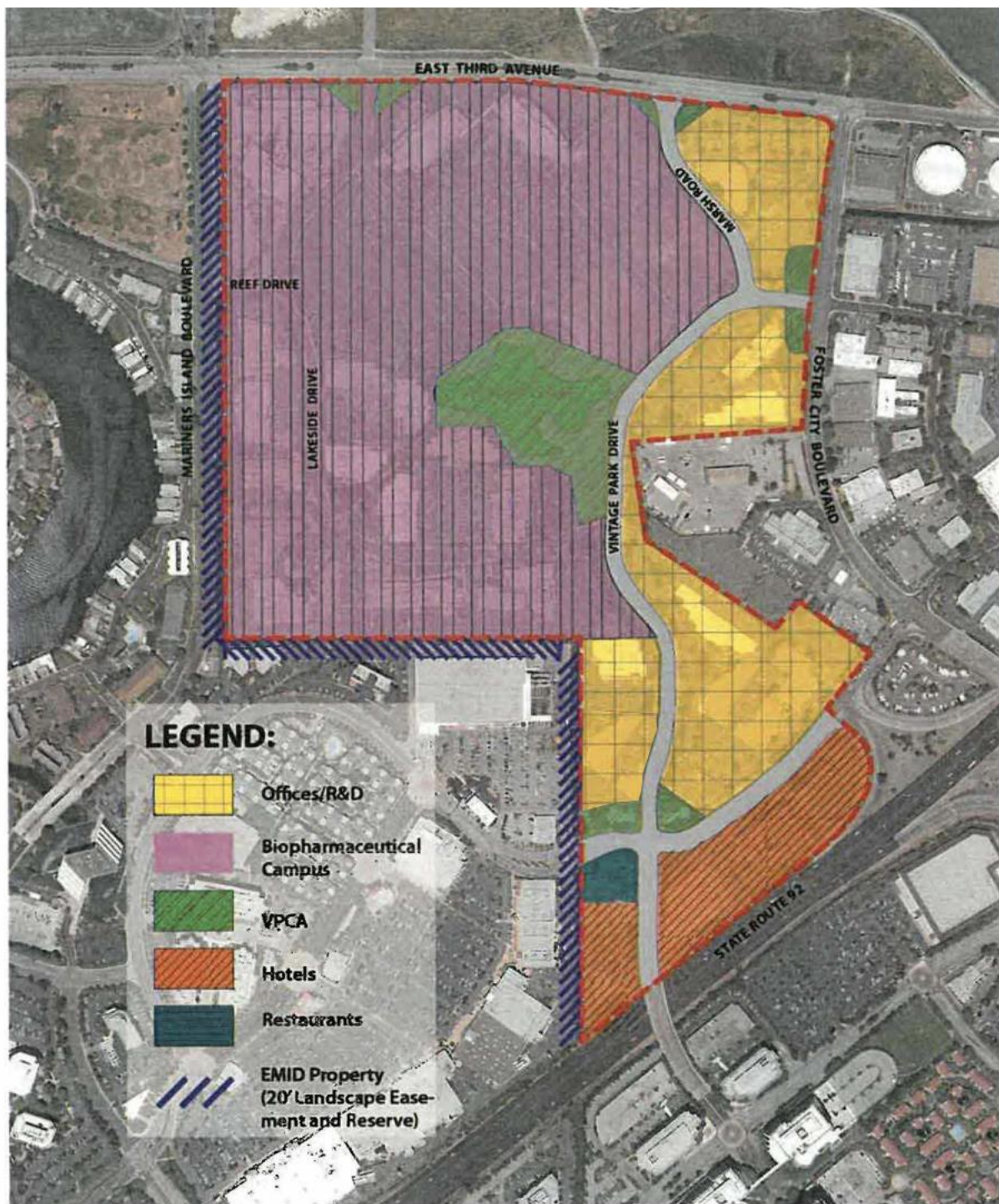
EXHIBIT A**AMENDED GENERAL DEVELOPMENT PLAN FOR VINTAGE PARK**

The CM/PD (Commercial Mix/Planned Development Combining) District zoning of the $\pm$ 132-acre site in Vintage Park (APNs: 094-122-050; -060; -070; -080; -110; -120; -130; -140; -150; 094-901-290; -300; -310; -340; -370; -380; -390; -400; -410; 094-904-040; 130; 094-901-250; -260; -270; -280; -350; -360; 094-902-060; -070; -090; -120; -130; -140; 094-903-040; 094-904-290; -300; -310; -320; -330; -340; 094-905-040; -050; -060; -070; -080; -090; 123-400-010; -020; -030; -040; -050; -060; -070; -080; -090; -100; -110; -120; -130; -140; -150; -160; -170; -180; -190; and 200) is herewith limited and specified as follows:

- a. Within the $\pm$ 72.59-acre portion of Vintage Park (APNs: 094-122-050; -060; -070; -080; -110; -120; -130; -150; 094-901-290; -300; -310; -340; -370; -380; -390; -400; -410; 094-904-290; -300; -310; -320; -330; and 340;) to allow development of up to 2,500,600 square feet of corporate biopharmaceutical campus consisting of up to 1,274,000 square feet of maximum office space; 1,203,000 square feet of biopharmaceutical laboratory space; 23,600 square feet of materials storage/warehouse spaces; and ancillary facilities (parking spaces (at-grade and in parking structures), cafeteria, pilot plant, meeting spaces, manufacturing and fitness facilities) with the option to separate vehicular and pedestrian circulation by closing off Lakeside Drive to through-traffic in accordance with the plans on file in the Community Development Department.
- b. Within the $\pm$ 4-acre portion of Vintage Park (APN: 094-122-140 — 303 Velocity Way), uses shall be limited to development of up to 295,000 square feet of office, research and development, light assembly uses and ancillary facilities (including childcare, cafeteria, and exercise facilities), subject to the prior approval of the City. Parking for the building shall be provided on adjacent properties (APNs: 094-901-290, -300; -310; -340; -370; -380; -390; -400; -410; 094-904-290; -300; -310; -320; -330; -340; 094-120-050; -060; -070; -080; -110; -120; -130; and 150) within 300 feet of the building entrance at a ratio of 4/1,000 with a 15% reduction (total of 853 spaces).
- c. Within the remaining 57-acre portion of Vintage Park (APNs: 094-904-040; 130; 094-901-250; -260; -270; -280; -350; -360; 094-902-060; -070; -090; -120; -130; -140; 094-903-040; 094-905-040; -050; -060; -070; -080; -090; 123-400-010; -020; -030; -040; -050; -060; -070; -080; -090; -100; -110; -120; -130; -140; -150; -160; -170; -180; -190; and 200) as depicted in Exhibit B, uses shall be limited to allow development of up to $\pm$ 202,158 sq. ft. of office space; up to $\pm$ 236,763 sq. ft. of research and development space; up to two (2) hotels with a total of 475 rooms of up to $\pm$ 353,246 sq. ft.; up to $\pm$ 10,803 sq. ft. of restaurant/retail space; and a one-acre lake/open space area, with internal site circulation to be provided in accordance with the plans on file in the Community Development Department.

EXHIBIT B

GRAPHIC FOR VINTAGE PARK GENERAL DEVELOPMENT PLAN AREA



CERTIFICATE OF POSTING

I, Yelena Cappello, hereby certify as follows:

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

I further certify to the proper posting of:

Ordinance No. 652, "An Ordinance of the City of Foster City of an Amendment to the Foster City Zoning Map to Modify the Previously Approved General Development Plan for the 57-acre Portion of the + 132-acres Land Known as Vintage Park to Replace the Approximately 11,000 Square-foot Restaurant Use With an Approximately 124,395 Square Feet of Research and Development (R&D) Office Use, Associate Parking and Site Improvements Located at 388 Vintage Park Drive – W-SW 388 Owner IX L.P. C/O Steelwave Cds, Llc – Apn 094-901-270 – Neighborhood Vintage Park (VP) – RZ2021-0003"

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 21st day of July 2022.

DocuSigned by:

Yelena Cappello

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Yelena Cappello
Acting City Clerk