

ORDINANCE NO. _____

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 ± 132-ACRE LANDS KNOWN AS VINTAGE PARK TO ALLOW UP TO TWO (2) HOTELS WITH A TOTAL OF 475 ROOMS OF UP TO ± 353,246 SQUARE FEET; AND DECREASE THE RESTAURANT AREA FROM ± 28,194 SQUARE FEET TO ± 18,994 SQUARE FEET IN ORDER TO ALLOW THE TOWNEPLACE SUITES EXTENDED STAY HOTEL LOCATED AT 1299 CHESS DRIVE (APN 094-901-360) IN NEIGHBORHOOD VINTAGE PARK (VP) – RZ-12-002

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 the Research/Office Park designation on the Land Use Plan as described in Policy LUC-25; 2) will provide for economic development consistent with the principles of Land Use Goal LUC-C; 3) will maintain a variety of land uses consistent with Land Use Goal LUC-D; 4) will be adequately served by municipal services and facilities per Goal LUC-F; 5) will provide for adequate on-site parking for safe and effective circulation, consistent with Land Use Goal LUC-K; 6) will provide enough land for commercial uses consistent with Land Use Policy LUC-19; 7) will mitigate construction noise to the extent feasible per Policy N-5 and 8) will provide for economic development by removing an existing vacant restaurant building that is becoming economically obsolete and providing services that will increase the assessed value of the property within the Vintage Park area and the City in general; and
- B. The proposed General Development Plan Amendment/ Rezoning will explicitly allow a second hotel in Vintage Park and a total increase in the number of hotel guest rooms from 354 rooms to 475 rooms and an increase in the total square footage of hotel use from ± 283,531 square feet to ± 353,246 square feet. The additional hotel and increase in 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 redeveloped use would not create conflicts with existing on-site and surrounding land uses because the proximity of the proposed extended stay hotel to many corporate offices in Foster City will allow corporate visitors to stay for extended periods with the convenience of walking, biking or taking a shuttle to and from work and airports in the region. At

the same time, an additional hotel will help absorb the increased demand for rooms without 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; 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 the existing or planned staffing levels; 2) no increased demand is anticipated for police services; 3) no new school facilities will be required as a result of the project; 4) the Water Supply Assessment prepared by EMID reviewed the water needs of this project as well as future projects and concluded that EMID has sufficient resources to serve the hotel project without affecting water supplies for existing and planned future developments; 5) anticipated wastewater discharges are not high enough to require the expansion of the existing system and as recommended in the 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 meet wastewater generated by this project and prepare a Stormwater Pollution Prevention Plan to ensure that the proposed drainage system will accommodate stormwater runoff from the project; 6) the amount of solid waste generated will not substantially shorten the life of the landfill and 7) the other utilities serving the project are expected to be adequate; and
- E. The proposed ratios for off-street parking including the provision of 51 spaces under the Vintage Park Drive Overpass through a mutual easement agreement are consistent with Chapter 17.62, Off-Street Parking Regulations, of Title 17 Zoning, of the Foster City Municipal Code; and
- F. The Planned Development will not have a detrimental and immitigable financial impact on the City or the Estero Municipal Improvement District.
- G. The proposed Rezoning will not have any significant adverse environmental impacts and is the subject of a Mitigated Negative Declaration recommended by the Planning Commission in Resolution P-12-13 adopted on June 20, 2013, and approved by the City Council on September 3, 2013 (SCH #2013052035, EA-12-003).

Section 2. The City of Foster City Zoning Map is hereby amended to reclassify that property known as Vintage Park, from its existing General Development Plan to an amended General Development Plan to allow development of up to ± 202,158 sq. ft. of office space; up to ± 112,368 sq. ft. of research and development space; to allow up to

two (2) hotels with a total of 475 rooms of up to ± 353,246 square feet; and up to ± 18,994 square feet of restaurant 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, 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.

This Ordinance was introduced and read on the 3rd day of September, 2013, and passed and adopted on the ___ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PAM FRISELLA, MAYOR

ATTEST:

DORIS L. PALMER, CITY CLERK

EXHIBIT A-1

AMENDED GENERAL DEVELOPMENT PLAN FOR VINTAGE PARK

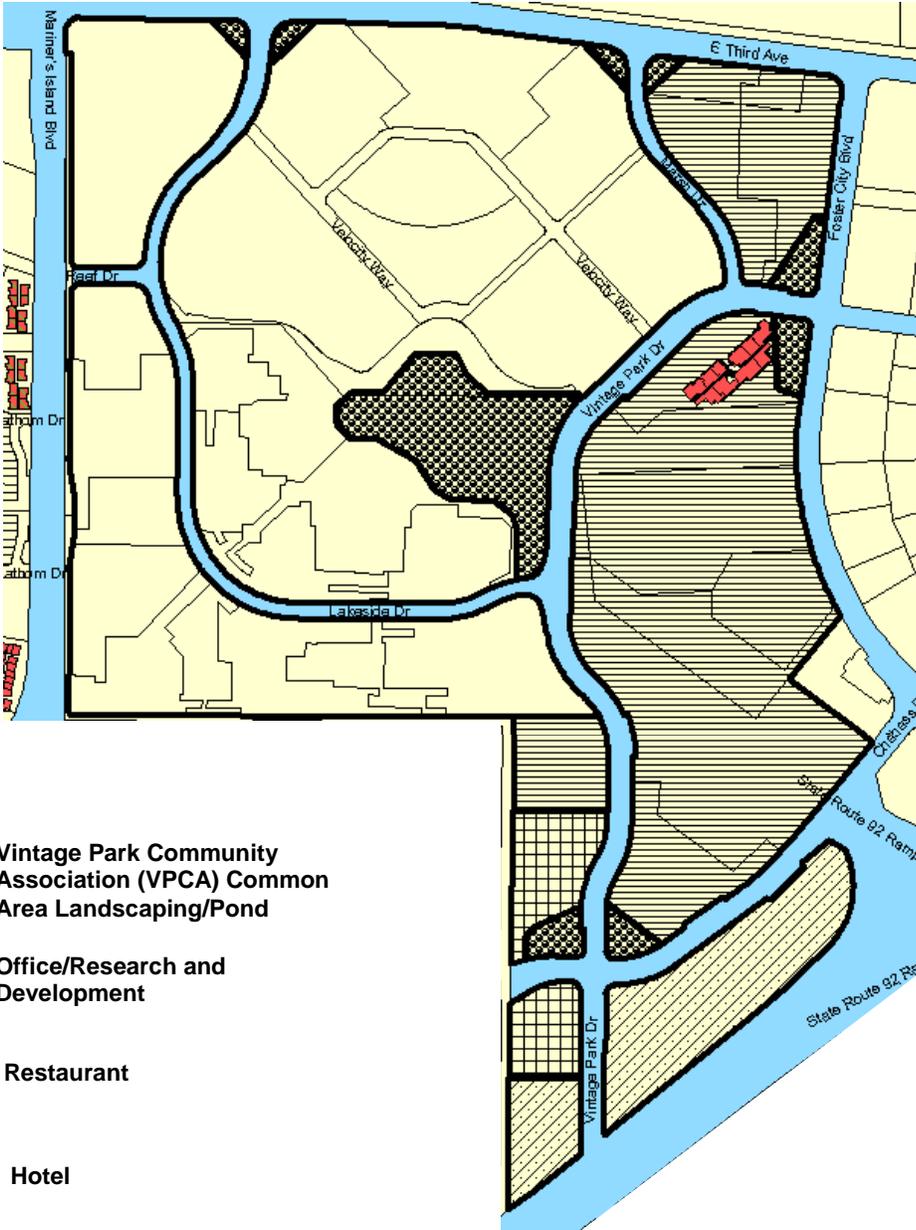
The CM/PD (Commercial Mix/Planned Development) District zoning of the +132-acre site in Vintage Park (APNs: 094-122-050; -060; -070; -080; -110; -120; -130; -140; -150; 094-901-290; -300; -310; -340; -370; -380; -390; -400; -410; 094-904-040; 130; 094-901-250; -260; -270; -280; -350; -360; 094-902-060; -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 ± 40-acre portion of Vintage Park (APNs: 094-901-290, -300; -310; -340; -370; -380; -390; -400; -410; 094-904-290; -300; -310; -320; -330; -340) to allow development of up to 1,200,480 square feet of corporate biopharmaceutical campus consisting of up to 755,048 square feet of office space; a minimum of 445,432 square feet of biopharmaceutical laboratory space and ancillary facilities (parking spaces (at-grade and in parking structures), cafeteria, pilot plant, meeting spaces, manufacturing, warehouse, and fitness facilities) with 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 35-acre portion of Vintage Park (APNs: 094-122-050; -060; -070; -080; -110; -120; -130; -140; and 150) uses shall be limited to development of up to 1,000,000 square feet of office, research and development, light assembly uses and ancillary facilities (including child care, cafeteria, and exercise facilities), the actual square footages of which may, from time to time, be altered depending upon the availability of parking, subject to the prior approval of the City.
- 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; -200) to allow development of up to ± 202,158 sq. ft. of office space; up to ± 112,368 sq. ft. of research and development space; to allow up to two (2) hotels with a total of 475 rooms of up to ± 353,246 square feet and up to ± 18,994 square feet of restaurant 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.

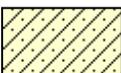
EXHIBIT A-2

GRAPHIC FOR ± 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; -200)



LEGEND

-  - Vintage Park Community Association (VPCA) Common Area Landscaping/Pond
-  - Office/Research and Development
-  - Restaurant
-  - Hotel