
DATE: November 2, 2023

STAFF REPORT

AGENDA ITEM NO. 6.3

TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: HELEN GANNON, ASSOCIATE PLANNER

CASE NO.: UP2023-0079

PROJECT LOCATION: 331 LAKESIDE DRIVE – NEIGHBORHOOD VINTAGE PARK (VP)

REQUESTED ACTION/PURPOSE

Use Permit request to approve the demolition of an existing 20,737 square foot building and construction of a new ±190,000 square foot, five-story, research and development building located at 331 Lakeside Drive in the South Campus of the Gilead Sciences Integrated Campus Master Plan and finding the proposed development consistent with the 2013 Final Subsequent Environmental Impact Report (FSEIR) and adopted Addenda.

GENERAL INFORMATION

GENERAL PLAN DESIGNATION: Research/Office Park

ZONING DISTRICT: C-M/PD – Commercial Mix /Planned Development
Combining District

HISTORY: On October 21, 2013, City Council certified a FSEIR and Mitigation Monitoring and Reporting Program (MMRP) for the Gilead Master Plan through Resolution No. 2013-80.

On November 4, 2013, the City Council adopted Ordinance No. 576 approving the Vintage Park General Development Plan (GDP) Amendment/Rezoning for the Gilead Master Plan (RZ-11-004) for the development of a biopharmaceutical campus on approximately 72 acres sit with a maximum built out of 2,500,000 square feet (SF) within the Vintage Park neighborhood.

On April 3, 2014, the Planning Commission approved Addendum No. 1 to the FSEIR amending Mitigation Measure NOI-b in order to allow an extension in the construction hours if certain criteria are met.

On September 19, 2016, the City Council adopted Ordinance No. 601 approving an amendment to the GDP (RZ-16-001) to reallocate square footage within Gilead's South Campus by decreasing the office allocation by 250,000 SF and increasing the laboratory allocation by

250,000 SF and a Resolution No. 2016-61 finding that Addendum No. 2 to the FSEIR that analyzed the reallocation (EA-16-002).

On May 7, 2020, the Planning Commission approved a Resolution No. P-05-20 for a Use Permit (UP2019-0044) for a 60,836 SF, two-story employee amenity building ("Gilead Wellbeing Center") and Addendum No. 3 to the FSEIR that analyzed the Gilead Wellbeing Center.

On February 4, 2021, the Planning Commission approved a Resolution No. P-03-21 for the Use Permit (UP2019-0035) for the construction of an approximately 5.42-acre private park with landscaped outdoor amenities and gathering space for its employees ("Gilead Park") and Addendum No. 4 to the FSEIR that analyzed the Gilead Park.

On February 6, 2023, the City Council adopted Ordinance 661 approving an amendment to the GDP (RZ2022-0001) to reallocate square footage within Gilead's South Campus by decreasing the office allocation by 250,000 SF and increasing the laboratory allocation by 250,000 SF and a Resolution No. 2023-8 finding that Addendum No. 5 to the FSEIR that analyzed the reallocation (EA2022-0001).

SURROUNDING LAND USE

North: Research/Office Park

South: Research/Office Park

East: Research/Office Park

West: Lakeside Dr

LOT SIZE:

094-904-320: 60,374 SF
094-904-330: 110,686 SF
094-904-310: 72,092 SF

PUBLIC HEARING NOTICING

The public was advised of this public hearing in the following ways:

- Ad in the Foster City Islander – October 11, 2023
- Foster City Website: www.fostercity.org – October 11, 2023
- Foster City TV Channel 27 – October 19, 2023 through November 2, 2023
- Electronic Marquee Sign in Leo Ryan Park – October 19, 2023 through November 2, 2023
- Email Notification to listserves – October 11, 2023
- Mailing to property owners who own property within a 1,000-foot radius – October 19, 2023
- Public Posting Places – October 11, 2023

NEIGHBOR NOTIFICATIONS

Consistent with the Use Permit (UP) process and procedures, the applicant is required to provide neighborhood notification to the adjacent properties of the proposed project site. The intent of the Neighbor Notification Form is to inform potential interested parties of the proposed site developments and encourage neighbors to submit any questions or concerns. However, all adjacent property is owned by the same owner, Gilead Sciences Inc. Therefore, staff did not require neighbor notification for the project. To notify properties outside of the Gilead Campus, Public Hearing notice was sent to the adjacent property owners within 1,000 feet (instead of the required 300 feet) informing them of the November 2, 2023, Planning Commission Meeting.

PROJECT LOCATION

The subject site is located within the Gilead Master Plan campus that covers approximately 72 acres of land in Vintage Park. The site is bounded by Lakeside Drive to the west, an existing surface parking lot to the north, an existing building at 333 Lakeside to the east, and a second surface parking lot to the south. The building footprint is defined by an access easement for PG&E high tension lines over the existing surface parking area to the north. The surface parking lot to the south is proposed to be removed and replaced with landscaping.

The build-out of the 72-acre campus is divided into two parts: South Campus and North Campus. Gilead owns and occupies additional properties throughout the City not included in the Master Plan.



Fig 1: Location Map; Source: NRC 331 Submitted Plan Set (Attachment 2)

PROJECT OVERVIEW

On June 6, 2023, a Use Permit Application was submitted by Gilead to demolish an existing 20,737 square-foot office building and construct a new ±190,000 square-foot research and

development building located at 331 Lakeside Drive. The new building, also known as NRC 331, would be a 5-story, fully sprinklered building to contain life-science research laboratories and accessory office functions.

On September 7, 2023, a Planning Commission Study Session was held to review site and architectural plans and other documentation submitted by the applicant in support of the proposed development ([See September 7, 2023 Study Session Staff Report](#), Agenda Item 9.1 or [Attachment 3](#)). The Planning Commission expressed overall support for the proposed development and did not recommend any modifications to the proposed building. (See Attachment 3 Meeting Minutes)

ANALYSIS

GENERAL PLAN AND ZONING CONSISTENCY

General Plan Land Use

The Land Use Map of the General Plan designates the use of the subject site as “Research/Office Park.” The City’s General Plan includes Research/Office Park land use category as follows:

“Areas with this designation contain office, research and development, and manufacturing establishments whose operations are clean and quiet. Mixed-use projects which include some retail and residential uses in addition to office and research uses may, under certain conditions, be considered compatible with this designation. Such conditions include compatibility of uses and project design (land planning, architecture, etc.). Vintage Park, the Lincoln Centre area, the Mariners Golf site and the Bayside Towers development are all designated for Research/Office Park use. The intensity of development found in Vintage Park and Lincoln Center are very similar, with Floor Area Ratios (FAR) generally ranging from .20 to .60 in Vintage Park, and .26 to .56 FAR in Lincoln Center. The intensity of development for the East Third Avenue, Bridge Landing and vacant Vintage Park sites is anticipated to have an FAR up to 1.0”

Land Use Element includes that almost all industrial uses in Foster City are located on the north side of State Route 92. There are three distinct areas which include light industrial and research and development uses, including: Hatch Drive/Chess drive, Lincoln Center and Vintage Park.

The General Plan provides the following regarding Vintage Park:

“Vintage Park consists of 132 acres located north of State Route 92 between Foster City Boulevard and the San Mateo City border. Gilead Sciences has purchased most of Vintage Park and has received approval to increase the building area on their 72.5 acre campus from 926,735 sq. ft. to 2,500,600 sq. ft. for their biopharmaceutical campus. The remainder of Vintage Park includes offices, labs, hotels and restaurants.”

Staff comments: According to the General Plan, the subject site is designated for Research/Office Park use, which is consistent with the proposed use for the subject site. The proposed redevelopment of the subject site includes the ±190,000 square-foot research and development building is consistent with the General Plan Land Use and Circulation Element.

Zoning/General Development Plan

The subject site is zoned C-M/PD and is part of the approved Vintage Park GDP. The Vintage Park GDP was adopted in 1981 (City Ordinance 223) to include 1,400,000 SF office; 480,000 SF

warehouse, light industrial;146,000 SF retail/commercial; 500 dwelling units at a density not greater than 16 units/acre. Since then, the GDP went through numerous amendments.

On November 4, 2013, the City Council adopted Ordinance No. 576 approving the Vintage Park GDP Amendment/Rezoning for the Gilead Master Plan (RZ-11-004 for a maximum build-out of 2,500,600 square feet including a mix of office and biopharmaceutical laboratory spaces, ancillary facilities such as parking, cafeterias, pilot plants, meeting spaces, manufacturing, warehouses, and fitness centers.

Subsequently, on September 19, 2016 (Ordinance 601) and on February 6, 2023 (Ordinance 661), the City Council adopted further amendments to the GDP allowing reallocations of office to laboratory square footage, while keeping the same maximum build-out square footage for the overall campus. For more information regarding the latest GDP reallocation information, refer to the 1st hearing on January 17, 2023 seen [here](#). After entitlement of this proposed new NRC 331 building, the campus would have approximately 575,987 remaining square feet in the GDP (see Table 1).

Table 1: Gilead Campus Remaining Buildout

Gilead Sciences Integrated Campus	Approved GDP Maximum Build-out Square Feet (SF)	Existing Campus SF	Net New SF w/ Proposed NRC 331	Integrated Campus SF Total w/ Proposed NRC 331	Remaining SF in GDP
South Campus					
Office	45,505*	45,505*	(20,737)	24,768*	0
Biopharmaceutical Laboratory	1,407,495	1,091,321	190,000	1,281,321	146,911
Materials Storage/Warehouse	5,100	0	0	0	5,100
Total South Campus	1,458,100	1,136,826	169,263	1,306,089	152,011
North Campus					
Office	1,024,000	618,524	0	618,524	405,476
Materials Storage/Warehouse	18,500	0	0	0	18,500
Total North Campus	1,042,500	618,524	0	618,524	423,976
Integrated Campus					
Office	1,069,505	664,029	(20,737)	643,292	405,476
Biopharmaceutical Laboratory	1,407,495	1,091,321	190,000	1,281,321	146,911
Materials Storage/Warehouse	23,600	0	0	0	23,600
Total Integrated Campus	2,500,600	1,755,350	169,263	1,924,613	575,987

* Existing office proposed for reclassifying into lab approved by Ordinance No. 661

Staff comments: The proposed project is consistent with the Vintage Park GDP because the proposal is to add research and development laboratory space to the South Campus, where a maximum build-out of 2,500,600 square feet is allowed. After entitlement of this proposed new

NRC 331 building, the campus would have approximately 575,987 remaining square feet in the GDP.

USE PERMIT (UP2023-0079)

The applicant is proposing to demolish an existing 20,737 square-foot office building and construct a new ±190,000 square-foot research and development building. The new five-story building (NRC 331) will consist of suites of laboratories and dedicated function spaces for research equipment, support spaces for handling biological materials, traditional workstations separated from the research space, and collaboration spaces on each floor. The ground floor would also contain ancillary meeting space.

Locating the building along the northern end of the site creates a pedestrian-focused landscape quad that will be framed by the proposed building and other existing buildings. Its location promotes optimal environmental protection while allowing solar access to the pedestrian landscape space.

Pursuant to section 17.06.070 Use permit – Grant or denial of the Foster City Municipal Code:
Upon receipt of the application for a use permit the planning commission shall determine whether or not the establishment, maintenance or cooperation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or determinantal to property and improvements in the neighborhood or the general welfare of the city.

Building Mass

The façade of the proposed building is as follows:

South Elevation: The south façade represents a strong contemporary identity with a human scale at the base, with recessed portions of glazing to encourage visual and physical access. The primary façade treatment is a projected metal frame that defines the massing with a consistent language that is applied at all elevations. The frame is set at two-level stacks to emphasize horizontality. The vertical fins provide shading for the glass and will limit solar heat gain and increase occupant comfort. The recessed apertures in the upper massing will highlight the circulation and collaboration spaces within the building, with accent materials defining these spaces.



Fig. 2: South Elevation; Source: NRC 331 Submitted Plan Set (Attachment 2)

East/West Elevations:

Building stairs along the façade line put circulation on display while articulating the façade to soften the repetition of the vertical fin patterning. This zone will also host the landing location of the pedestrian bridge at the third level. The bridge will be connected with Building 324, which is similar in height (four stories) and materials. Higher-performing glazing will be located along these elevations to limit more direct solar gain, lessening energy impact and limiting internal glare.



Fig. 3: Bridge; Source: NRC 331 Submitted Plan Set (Attachment 2)

North Elevation:

This façade will be complimentary to the south elevation, with a more subtle approach to the recessed apertures in the upper volume that reflect the lab location of the floor plan. The apertures will put 'science on display'. The utility enclosure at the ground level will be

integrated into the architecture, working in harmony with the material palette and quality of the building as a whole.



Fig 4: North Elevation; Source: NRC 331 Submitted Plan Set (Attachment 2)

The proposal also includes a skybridge (see Figure 3), connecting NRC 331 and Building 324 across Lakeside Drive. Materials, colors and design of skywalks shall be consistent with the adjacent building architecture and shall include glazing. The bridge will consist of glazed aluminum, consistent with the proposed building.

Circulation

A new access road, off Lakeside Drive, is located on the north side of the building and will provide 13 service/ADA parking spaces and a service yard. Access Drive will also provide ingress and egress for the future consolidated campus trash enclosure service providers with a turnaround space.

Parking

Parking within the Gilead Campus is shared with the adopted Parking Agreement (City Ordinance No. 576 Section 6 – Parking Agreement). The Parking Agreement allows a reduced parking ratio of 1 space / 833 square feet for laboratory buildings and a 15% reduction in the number of required off-street parking stalls based upon a Transportation Demand Management Plan (TDM) for the Gilead Integrated Campus that was prepared in 2013. NRC 331 would be subject to South Campus parking requirements. The applicant states that with the construction of the new building and associated parking lots, there will still be a surplus of approximately 640 stalls on the South Campus (See Table 1).

Table 1: Parking Availability

Parking (South Campus)	Parking Stalls
Required Parking before proposed NRC331	1,145
Required Parking for proposed NRC331	165
Required Total Parking after NRC331	1,250
Existing Parking on the South Campus	2,138
Net Parking Change on the South Campus from NRC331	(248)
Total Parking on South Campus after NRC331	1,890
Total Parking Surplus on South Campus After NRC 331	640

It should be noted the project will continue to implement applicable TDM measures. Current TDM measures and the TDM Compliance Letter can be reviewed in Attachment 4.

Landscaping

The proposal includes the construction of a large, landscaped area known as the “Research Quad,” as well as all new landscaping surrounding NRC 331. The Research Quad is designed to evoke the experience of the local coastal prairie and coastal scrub while supporting local ecology. Selected plan materials are native adapted drought-tolerant species that provide visual interest during all seasons and support a diverse community of pollinators. Plants have also been selected for low maintenance and do not typically require the application of fertilizer and pesticides. The project proposes the addition of 7 plant types which are not within the permitted plant list:

Pinus torreyana, Torrey Pine

Artemisia californica, California Sagebrush

Galvezia speciosa cv. (*Gambellia speciosa*), Bush Island Snapdragon

Lomandra longifolia cv., Mat Rush

Leucadendron, sp, ssp, hybrids, and cvs., Conebush

Mimulus hybrids and cvs. (Diplacus), Bush Monkeyflower

Verbena lilacina (Glandularia lilacina), Lilac Verbena

The proposed species would be required to be added to the Vintage Park Design Guidelines Plant List (see COA 1.37). This would require an amendment to the Plant List, which would be done administratively. Each species is either native and/or adapted to Foster City’s climate and would utilize low water usage.

Sustainable Measures

The proposed building aims to achieve third-party green building certification. The overall sustainability target for the building is to be net-zero-ready through the provision of an all-electric central plant. The project would accomplish the net-zero-ready central plant with air source heat pumps and a heat recovery chiller in lieu of gas boilers.

PLAN REVISIONS SINCE STUDY SESSION

Minor revisions have been made to the project, including both the proposed building architecture and scope of outdoor improvements, since the September 7, 2023, Study Session and are incorporated into the plans dated September 28, 2023 (Attachment 2).

Some of the revisions include:

- Overall building shift 6'-3" south to allow for a greater distance between the building and the PG&E overhead power lines
- Placement of detached trash enclosure adjacent to service vehicle turn-around area to represent the general location, enclosure size, and enclosure materiality
- Materials and colors updated (material palette provided on Sheet A5.07) to more closely represent the color and textural qualities of the façade materials

Staff has found these revisions to be minor in nature and do not affect the overall project compliance.

ENVIRONMENTAL ASSESSMENT

A program Subsequent Environmental Impact Report (SEIR) and Mitigation Monitoring and Reporting Program (MMRP) was prepared for the Integrated Campus Master Plan. The SEIR and MMRP was certified by the City Council on October 21, 2013. The document included mitigation measures to reduce potentially significant impacts to a less-than-significant level. With each proposed modification to the Campus, an Addendum has been prepared in compliance with CEQA to confirm there are no substantial project changes or impacts identified and disclosed beyond those approved in the Final SEIR.

Specifically, on February 6, 2023, the City Council adopted Addendum No. 5 by Resolution No. 2023-8 with findings that there are no substantial project changes or impacts identified and disclosed in the 2013 Final SEIR and adopted addenda. Addenda No. 5 was adopted in association with the GDP amendment to decrease the allowable 250,000 square feet of office space and increase the allowable laboratory space by 250,000 square feet in the south campus.

The demolition of an existing 20,737 square foot building and the construction of a new building is within the approved and analyzed capacity of the full campus, as disclosed in the 2013 Final SEIR and adopted Addenda. Furthermore, the Master Plan anticipates the demolition of the existing 331 building for reconstruction of new office and laboratory buildings for the full campus capacity. The project would be required to continue to comply with all mitigation measures included in the Final SEIR as well as conditions of approval which would reduce any potential impacts from the new building; therefore, no new environmental analysis would be required per the requirements of CEQA.

STAFF RECOMMENDATION

Consistent with the findings stated in the Resolution (Attachment 1), the proposal is consistent with Title 17 (Zoning), Chapter 17.06 (Administration, Construction and Enforcement) of the Foster City Municipal Code, the General Plan's goals and policies, all applicable Planning Commission Policies, and the Vintage Park Design Guidelines. For these reasons, staff recommends the project be approved as proposed, subject to the Conditions of Approval in Exhibit A of Attachment 1.

NEXT STEPS

The Planning Commission's action on the proposal is final unless appealed to the City Council. There is an appeal period of ten (10) calendar days following any action of the Planning Commission.

ATTACHMENTS

Attachment 1 – Resolution

Attachment 2 – Project Plans

Attachment 3 – September 7, 2023, Study Session Meeting Minutes

Attachment 4 – TDM Compliance Letter

INDIVIDUALS, ORGANIZATIONS AND DOCUMENTS CONSULTED

Foster City General Plan

Foster City Municipal Code

Foster City Environmental Review Guidelines

[Vintage Design Guidelines \(Updated 2021\)](#)

Vintage Park General Development Plan

Project Plans submitted by Gilead

Project Description submitted by Gilead

TDM Compliance Letter submitted by Gilead