



Item No: 1
Meeting Date: May 27, 2014

To: Planning Commission

Date: May 20, 2014

Authorized By: Ron Munekawa
Chief of Planning

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Subject: PA14-019 Bridgepointe Pre-application to Amend Master Plan Regarding Lot 5 –
Ice Rink or Similar Recreational Uses
3010 Bridgepointe Parkway, APN: 035-466-090

RECOMMENDATION

That the Planning Commission review the proposed Bridgepointe Pre-application to Amend Master Plan Regarding Lot 5 – Ice Rink or Similar Recreational Use on a preliminary basis and provide input to the applicant and staff.

PROJECT DESCRIPTION

The applicant proposes an amendment to the Bridgepointe Master Plan and Conditions of Approval to revise the description of uses for Site 1, Lot 5 (ice rink facility), to read “retail uses” and remove the reference to an ice rink or similar recreational use. This would allow for redevelopment of Lot 5 for general retail uses. The applicant proposes to switch from recreational land use to retail land use.

The applicant also proposes to pay a recreation fee to improve City recreational facilities and enhance recreational opportunities for San Mateo residents as part of the project. At this time, the applicant has not specified a dollar amount of the fee to be paid.

The proposed amendment to the master plan requires a recommendation by Planning Commission to City Council and approval by City Council.

SITE DESCRIPTION

The project site is located within the approximately 75 acre Bridgepointe Master Plan site, and is bounded by State Route 92 on the south, Chess Drive and Bridgepointe Parkway on the north and east, and Baker Way and Fashion Island Boulevard on the west. The City of Foster City abuts the site on the north and east. See Attachment 1, Site Location.

The project site consists of the entire 77,080 square foot (1.77 acres) Lot 5 of Site I of the Bridgepointe Master Plan, currently developed as an ice rink facility within the Bridgepointe Shopping Center. See Attachment 2, Bridgepointe Master Plan, Site I.

BACKGROUND

There are a number of previous planning applications for the Bridgepointe development project. This Administrative Report focuses only on the projects that are relevant to the ice rink land use within the Bridgepointe Shopping Center. The project file contains a binder with a complete set of the Administrative Reports and associated minutes for the previous planning applications listed below. Attachment 3 of this report contains a table summarizing the chronology of activity associated with those previous planning applications, as well as the key documents from those applications that are relevant to the current planning application.

Mariner's Island Specific Plan (adopted 1973)

Site I of the Specific Plan consisted of the Fashion Island Shopping Center (75 acres) which was constructed in 1981. Lot 5 of Site I (1.77 acres) contained the ice rink facility.

PA 95-022 Bridgepointe Development Master Plan (approved September 16, 1996)

The Bridgepointe Development Master Plan specifically included the ice rink, approximately 50,000 square feet, within the project description. The Bridgepointe project was a proposal to redevelop the Fashion Island Shopping Center. With the exception of the ice rink, the project would demolish all of the existing structures of the Fashion Island Shopping Center. An Environmental Impact Report (EIR) was prepared which identified nine different development scenarios. The retention of the ice rink was included in all nine scenarios. The EIR identified several significant and unavoidable impacts which required a Statement of Overriding Considerations that considered the benefits of the project against the potential environmental impacts. The project benefits included "the project will provide recreation opportunities for San Mateo residents through retention of the ice rink facility".

PA 96-046 Bridgepointe Retail Development (approved December 17, 1996)

The ice rink was also specifically included in the Site Plan and Architectural Review (SPAR) planning application for the retail center, PA-96-046 Bridgepointe Retail Development. The project was the first phase of development under the Bridgepointe Master Plan and included the construction of the "power center", outlying pad sites and ice rink on Site I and construction

of “big box” retail (Home Depot) and outlying pad on Site 3. The project included approvals of the design details of the proposed renovation and reuse of the Ice Chalet facility.

PA 97-072 Bridgepointe Retail Modification (recommended for denial by Planning Commission December 8, 1997 and approval of Planning Commission recommendation by City Council March 2, 1998)

The project sponsors subsequently requested a modification of both the Master Plan and the Site Plan and Architectural Review (SPAR) planning application (PA 96-046) for the retail center to replace the ice rink with three retail spaces. This request was recommended for modification by the Planning Commission and ultimately required City Council action.

The project sponsor indicated that elimination of the ice rink use was due to both the cost of renovating the ice rink, as was originally proposed in their master plan application, as well as a waning demand for this recreation amenity, according to the project sponsor. Substantial controversy surrounded the proposal to eliminate the ice rink, including public concern for the potential loss of the ice rink amenity and questions regarding the ability to actually fund reconstruction and operation of the ice rink without significant subsidization.

At the conclusion of the first public hearing with City Council, staff was directed to facilitate meetings between the various parties in order to determine whether it would be feasible to retain the ice rink. The City sponsored a mediation session between the project sponsor and several prospective ice rink operators. The result of the mediation and additional follow-up was that the project sponsor indicated that it would be possible to retain an ice rink or other recreational use and they withdrew the application to replace the rink with retail uses. They requested that the City clarify the approved alternative recreational uses.

The final result was that the project description in the Master Plan was amended to revise the description of uses in the ice rink space to read, “ice rink or similar recreational uses” and to add a condition of approval requiring review and approval by the Planning Commission of any proposed alternative recreational use. The new condition read:

ALTERNATIVE RECREATIONAL USE – Any alternative recreational facility proposed on the site of the existing ice rink building shall be of similar size, shall serve a variety of ages and both sexes and shall be designed for active sports recreation, subject to review and approval by the Planning Commission.

PA 12-034 Pre-application to Amend Bridgepointe Master Plan (withdrawn April 29, 2013)

On May 31, 2012, Bridgepointe Shopping Center property owner, SPI Holdings (SPI), applied for an amendment to the existing Bridgepointe Master Plan to allow removal of the requirement for an ice rink or similar recreational use on site. In exchange for this Master Plan modification, SPI proposed funding in the amount of \$787,000 for the installation of a full-size, all-weather synthetic turf athletic field and the related field maintenance equipment. The SPI proposal

included funding in the amount of \$437,000 for the replacement of the field in 10 to 12 years. SPI also proposed an additional \$200,000 to fund the construction of a restroom facility at Mariners Island Park.

Based on the initial information submitted to the City as part of the SPI Bridgepointe Shopping Center Master Plan pre-application, a community meeting was scheduled and held on July 26, 2012. About 175 people attended the meeting at which the concept of an alternative type of recreational use and a different location for a new use were discussed. Those in attendance supported the ice rink and wanted to see it remain in operation at the Shopping Center.

After the community meeting, SPI determined that it wanted to move forward with the application, but agreed with the City of San Mateo that more information was needed regarding alternative types of recreational uses and possible locations for those uses, before the next step was taken in the pre-application process, which would be holding a Planning Commission Study Session. However, SPI later determined that it no longer wanted to move forward with the pre-application process and withdrew the application on April 29, 2013. This terminated the process as there was no action requested by the applicant to be considered by the City.

SPI then terminated the lease with the Ice Rink operator and the Ice Rink ceased operation in May of 2013.

See Attachment 3 for a chronology of activity related to the current application.

CODE AND POLICY COMPLIANCE

General Plan: The General Plan Land Use Diagram designates the project site as Regional/Community Commercial/High Density Multi-Family. The project site is located within the Marina Lagoon planning area and is also designated as a Major Focal Point. The permitted maximum height is 55' – 75'. Note: compliance with the required land use policies and approval of the 75' height limitation was granted with the approval of the Bridgepointe Master Plan for the office uses only, with the provision of public benefit as required by the General Plan in the form of monetary payments to the City. No such public benefit was required for the retail portion of the site as it complied with the 55 foot height limit. Compliance with additional applicable land use policies for the current planning application will be evaluated during the formal planning application process. General Plan policies that apply to this project are listed in Attachment 4.

Zoning Code: The project site is zoned C2-.62/R (Regional or Community Commercial / Residential Overlay). The commercial zoning permits a broad range of office, retail, and service uses of community-wide or regional significance. At this time, the specific type of retail use

being proposed by the applicant has not yet been determined. The formal planning application will document compliance with all applicable Zoning Code requirements.

Relevant Specific and Master Plans: A summary of the relevant specific and master plans and the major policies related to this planning application is included in Attachment 4. Key plans that are pertinent to the project are summarized below.

Mariner's Island Specific Plan

The Mariner's Island Specific Plan was adopted by the City Council June 18, 1973 and last revised May 15, 1995. The plan area consists of approximately 263 acres and includes the project site as Site I, formerly the Fashion Island Shopping Center which contained the ice rink. The development criteria in the plan required a high quality, signature project for the shopping center site when the site would be redeveloped. To achieve this high quality, a master plan for the shopping center site was required prior to approval of any redevelopment or major expansion (in excess of 50,000 square feet over development existing in 1995). This policy was implemented with the approval of the Bridgepointe Master Plan.

Bridgepointe Master Plan

The Bridgepointe Master Plan for the redevelopment of the Fashion Island Shopping Center was approved by the City Council on September 16, 1996. The Master Plan established the site layout, location of the public right-of-way, potential range of land uses, location of structures and parking, and the building intensities and heights that could occur on the site. With the exception of the existing ice rink on Site I, all of the structures were demolished and Site I was redeveloped as the Bridgepointe Shopping Center. The master plan for Site I is shown in Attachment 2.

Environmental Review: In compliance with the California Environmental Quality Act (CEQA) regulations, environmental review will be conducted upon submittal of the formal planning application.

NEIGHBORHOOD INPUT

The applicant conducted a neighborhood meeting on April 24, 2014 at the San Mateo Marriott Hotel. Approximately 250 to 300 people attended the meeting. The project sponsor presented their description of the proposed amendment to the master plan and stated the reasons for requesting the land use change from recreational use to retail uses. City Planning Division staff Tricia Schimpp, project planner, and Ron MuneKawa, Chief of Planning, were present at the meeting and briefly informed the attendees about the City process for review of the project and informed them about the May 27, 2014 Planning Commission Study Session.

There were many concerns raised by the attendees about the loss of the ice rink and their desire to keep it open as an ice rink. See Attachment 5 for a summary of the comments from the Neighborhood Meeting.

In addition, the City has received many emails, letters and press exposure over the issue of closing the ice rink and changing the land use to retail. A petition to Mayor Robert Ross, City Council and Planning Commission with over 4,500 signatures requests that the City take action to keep the ice rink open. That petition and written comments received since the date of the current application (March 18, 2014) are included in Attachment 6 and can be viewed online at: <http://www.change.org/petitions/mayor-robert-ross-san-mateo-city-council-planning-commission-please-don-t-take-away-our-ice-rink>. Hard copy of petition signatures and comments submitted previous to the submittal of the current planning pre-application are contained in the project file.

PUBLIC OUTREACH:

In accordance with Government Code section 65090, notice of this study session was published in the Examiner newspaper 10 days before this Study Session. In accordance with Government Code section 65091 and the City's Municipal Code noticing requirements, this hearing was noticed to the following parties 10 days in advance of the neighborhood meeting and the Planning Commission study session:

- Property owners, residential tenants and business tenants within 1,000 feet of the project site;
- The City's "900 List" which contains nearly 100 Homeowner Associations, Neighborhood Associations, local utilities, media, and other organizations interested in citywide planning projects;
- The City's Planning E-Notify Email list; and,
- The interested parties list which includes interested individuals who contacted the City and requested to be added to the project notification list, all of the people who signed in for the previous neighborhood meeting for PA 12-034, and communication with the organizers of the change.org petition so all of those contacts would be notified by the organizers.

SUMMARY AND NEXT STEPS

This report has identified the previous planning applications relating to Lot 5 at the Bridgepointe Shopping Center and approved land use in the Bridgepointe Master Plan as an ice rink or other recreational use. Now, the project sponsor proposes an alternate land use as retail for Lot 5 with a provision for recreational use elsewhere in the City by means of providing a recreational fee to be paid to the City which would be expended as deemed appropriate by the City. The City process is focused on one primary question:

1. Will the city permit a change in the Bridgepointe Master Plan to replace the approved use of an ice rink or other recreational use with a retail use?

If the answer to this question is “yes”, then a second question must be answered:

2. What compensation will be required of the Bridgepointe Center owner to offset the loss of recreational facilities at the Center?

If the answer is “no”, the applicant may elect to resubmit a plan that would include a recreational use to replace the ice rink.

At this time, staff is seeking Planning Commission comments on the following:

1. What are the Planning Commissioner’s general comments about the project sponsor’s proposal?
2. What additional information and specific studies will be necessary for the Planning Commission to make an informed land use recommendation to City Council at the public hearing stage of the process to amend the Bridgepointe Master Plan to change the approved land use from ice rink or similar recreational use to retail uses? It is anticipated that upon submittal of a formal planning application staff would initiate studies to identify the following:
 - Determine the appropriate methodology to determine the monetary value of the proposed project to allow a retail building to replace the ice rink on Lot 5.
 - Determine the appropriate recreational fee to be paid to allow removal of the requirement for an ice rink or similar recreational use on site.
 - The appropriateness of the recreational fee to be paid to the City should the land use change from recreational to retail uses, including a review of the applicant’s pro-forma to determine an appropriate dollar amount which could be required by the City, but maintain economic feasibility of the project.

ATTACHMENTS

1. Site Location
2. Bridgepointe Master Plan, Site I
3. Chronology of Activity and Applicable AR’s and Minutes
 - 3a. PA 95-022 Bridgepointe Development Master Plan (9/16/96)
Administrative Report to City Council to Certify Final Environmental Impact Report & Approve Bridgepointe Master Plan

- 3b. PA 95-022 Bridgepointe Development Master Plan (9/16/96)
Statement of Overriding Considerations
- 3c. PA 95-022 Bridgepointe Development Master Plan (9/16/96)
City Council Minutes
- 3d. PA 96-046 Bridgepointe Retail Development (12/17/96)
Administrative Report to Planning Commission for Retail Site Plan and Architectural Review (SPAR)
- 3e. PA 96-046 Bridgepointe Retail Development (12/17/96)
Planning Commission Minutes
- 3f. PA 97-072 Bridgepointe Retail Modification to Amend Master Plan and Site Plan and Architectural Design Review (12/8/97)
Administrative Report to Planning Commission
- 3g. PA 97-072 Bridgepointe Retail Modification to Amend Master Plan and Site Plan and Architectural Design Review (12/8/97)
Action of Planning Commission
- 3h. PA 97-072 Bridgepointe Retail Modification to Amend Master Plan and Site Plan and Architectural Design Review (12/8/97)
Administrative Report to City Council
- 3i. PA 97-072 Bridgepointe Retail Modification to Amend Master Plan and Site Plan and Architectural Design Review (12/8/97)
City Council Minutes
- 4. Applicable Specific and Master Plan Policies
- 5. Neighborhood Meeting Summary
- 6. Public Comments

CC (AR and attachments (hardcopy) via USPS First Class Mail)

Peter Meier, SPI Holdings

CC (Website link to AR and attachments via Email)

Interested Parties and Neighborhood Meeting Attendees (if email address was provided)