

## **ORDINANCE NO. 1623**

### **AN ORDINANCE OF THE CITY OF SAN CARLOS APPROVING A DEVELOPMENT AGREEMENT WITH THE ALEXANDRIA REAL ESTATE EQUITIES, FOR THE ALEXANDRIA LIFE SCIENCE CAMPUS PROJECT.**

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**WHEREAS**, Alexandria Real Estate Equities is the fee owner of the property located at 900 and 960 Industrial Road; 961- 967, 987, 1003, 1011, 1015, 1057 and 1075 Commercial Street; and 915, 921, 1015, 1055 and 1063 Old County Road, San Carlos, California and identified as Assessor Parcel Numbers 046-162-010, 046-162-210, 046-162-270, 046-162-280, 046-162-290, 046-184-090, 046-184-110, 046-184-120, 046-184-280, 046-184-290 and 046-184-300 (the "Property"); and

**WHEREAS**, pursuant to Title 18 of the City of San Carlos Municipal Code ("SCMC") and California Government Code Sections 65864 to 65869.5, Alexandria Real Estate Equities, filed an application for approval of a Development Agreement for the Property in conjunction with its application for a Planned Development Plan and accompanying Zoning Map Amendment, Design Review, Grading and Dirt Haul Certificate, Tentative Parcel Map, Protected Tree Removal, Master Sign Program and Transportation Demand Management Plan to facilitate the development of a research and development campus that will include six office/laboratory buildings, two parking structures and tenant amenity buildings, which total approximately 2,409,119 square feet of building floor area (the "Project"); and

**WHEREAS**, by Resolution PTC2025-03, adopted on April 21, 2025, the Planning and Transportation Commission recommended the City Council certify the Environmental Impact Report (EIR) and the Mitigation Monitoring and Reporting Plan pursuant to the California Environmental Quality Act (CEQA) for the implementation of the mitigation measures outlined in the EIR; and

**WHEREAS**, by Resolution PTC2025-04, adopted on April 21, 2025, the Planning and Transportation Commission recommended that the City Council adopt an ordinance approving the Zoning Map Amendment to change the site from Heavy Industrial (IH) Zoning District to Planned Development (PD) Zoning District and adopt the Planned Development Plan; and

**WHEREAS**, the Planning and Transportation Commission discussed the specific terms of the Development Agreement and recommended that the City Council approve the Development Agreement by Resolution PTC-2025-05, adopted on April 21, 2025; and

**WHEREAS**, at a duly noticed public hearing held on April 21, 2025, the Planning and Transportation Commission approved the Design Review Certificate, Transportation Demand Management Plan, Protected Tree Removal, Grading and Dirt Haul Certificate and Tentative Parcel Map, subject to approval of the Zoning Map Amendment and Planned Development Plan and effective on the effective date of the Zoning Map Amendment and Planned Development Plan; and

**WHEREAS**, the City Council of the City of San Carlos held a duly noticed public hearing on May 12, 2025 to consider the Environmental Impact Report, Mitigation Monitoring and Reporting Plan, the proposed Planned Development Plan and the proposed Zoning Map Amendment and Development Agreement; and

**WHEREAS**, by Resolution 2025-040, adopted on May 12, 2025, the City Council certified the Environmental Impact Report and adopted the Mitigation Monitoring and Reporting Plan pursuant to the California Environmental Quality Act (CEQA) for the implementation of the mitigation measures outlined in the Environmental Impact Report.

**WHEREAS**, the City Council of the City of San Carlos held a duly noticed public hearing on May 12, 2025 and introduced an ordinance amending the Zoning Map to change the site from Heavy Industrial Zoning District (IH) to Planned Development Zoning District (PD) and adopt the Planned Development Plan; and

**WHEREAS**, the City Council of the City of San Carlos held a duly noticed public hearing regarding the adoption of the Development Agreement on May 12, 2025.

**NOW THEREFORE THE CITY OF SAN CARLOS DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1:** The City Council finds that the Project is a development for which a development agreement is appropriate in order to: 1) eliminate uncertainty in the City's land use planning for the Project and provide for the orderly development of the Project; 2) assure installation of necessary improvements on the property; 3) provide for the public infrastructure and services appropriate to the development of the Project; 4) secure City improvements that benefit the community; 5) provide for the developer to deliver community benefits in excess of those that the City could require as conditions of approval; and 6) otherwise achieve the goals and purposes of Chapter 18.37 of the SCMC.

**SECTION 2:** The City Council finds that the Development Agreement is consistent with the General Plan as described in Exhibit A.

**SECTION 3:** The City Council hereby approves the Development Agreement included as Exhibit B and the City Manager is hereby authorized to execute the Development Agreement on behalf of the City. The City Manager is further authorized, with concurrence of the City Attorney, to approve minor, operating memoranda to the Development Agreement that are necessary for the development of the Project as contemplated in the Development Agreement.

**SECTION 4: Severability.** The City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions of this Ordinance are severable and if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

**SECTION 5: Publication and Effective Date.** This Ordinance shall be published and posted according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

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I, City Clerk Crystal Mui, hereby certify that the foregoing Ordinance was introduced on the 12<sup>th</sup> day of May, 2025 and passed and adopted as an Ordinance of the City of San Carlos at a regular meeting thereof held on the 27<sup>th</sup> day of May, 2025 by the following vote:

**AYES, COUNCILMEMBERS:**

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**NOES, COUNCILMEMBERS:**

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**ABSENT, COUNCILMEMBERS:**

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**CITY CLERK** of the City of San Carlos

APPROVED:

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**MAYOR** of the City of San Carlos

Exhibits:

- A. Development Agreement Findings
- B. Development Agreement

## **Exhibit A - Findings**

### **Development Agreement Findings:**

In considering whether to approve the Development Agreement, the City Council must find the Development Agreement consistent with the General Plan.

Basis for Finding: The Development Agreement and provision of community benefits including on and off-site creek improvements, Creekside trail, formation of the Transportation Management Association (TMA), provision of on-site art, Commercial Street improvements and financial contributions, and additional beneficial project features including: publicly accessible open spaces, use of on-site amenity space, café open to the public, and installation of green infrastructure are consistent with the following General Plan policies:

- LU-1.10: Require that development within the Pulgas, Brittan and Cordilleras Creek watersheds shall preserve watershed integrity, including natural vegetation, soil and slope stability, water quality, scenic values and potential archaeological resources.
- LU-1.12: Promote the development of publicly accessible urban trails throughout the city to provide access to the natural environment and facilitate nonmotorized transportation options.
- LU-1.14: Support creative, innovative and flexible approaches to parking standards and the provision of parking facilities.
- LU-3.10: Encourage the creation of safe, walkable environments that include elements such as wide, smooth sidewalks, good lighting, safe crosswalks, clear signage, curb bulb-outs, curb cuts, street furniture and trees and traffic-calming measures which allow people of all ages and abilities to exercise and safely access public transportation, community centers and schools and goods and services.
- LU-5.3: Support and encourage businesses and land uses that contribute to the City's financial viability.
- LU-5.7: Support high-wage industries that provide quality jobs for workers at all education levels.
- LU-5.13: Consider use of multiple level parking facilities to provide increased space where available land is limited.
- LU-6.1: Support commercial/industrial activity and businesses on the East Side.
- LU-6.3: Support the expansion of key growth industries while maintaining the overall diversity of land uses within East Side employment areas.
- LU-6.6: Encourage new development on the East Side to feature high quality architecture that reinforces the character of the area.
- LU-7.2: Actively encourage and promote a balanced development pattern that provides opportunities for community connections and social interaction.
- LU-7.5: Consider the inclusion of public art as part of development projects.
- Action LU-7.5: Encourage new and existing commercial development to incorporate accessible roof gardens, public plazas, public courtyards and passageways, landscaping, public art and other desired public amenities beyond those specified during the normal City review process.
- LU-8.1: Require all development to feature high quality design that enhances the visual character of San Carlos.
- LU-8.9: Encourage the design of attractive outdoor pedestrian spaces that encourage impromptu public gathering places with features such as plazas, interior walkways and

paseos, ornamental gates, trellises, lighting, trees and landscaping, seating and fountains.

- LU-8.18: Encourage “green building” practices in new development and redevelopment, such as those that make a building more energy efficient and reduces its effect on human health and the environment through better siting, design, construction, maintenance and operation.
- CHS-5.1: Connect neighborhoods, school sites, activity centers, transportation centers, recreational sites and other important community amenities with sidewalks, pedestrian paths, trails and bikeways.
- CHS-7.1: Trails and paths intended for general circulation shall provide reasonably direct and convenient routes of travel for potential users.
- CHS-7.7: Public trails should be located and designed so that they serve the needs of the public while minimizing private property impacts.
- CHS-7.8: The local public path and trail system should be linked with existing private and regional systems and the road system.
- EM-4.1: Support an open space system that is diverse in uses and opportunities and includes natural function/wildlife habitat as well as passive and appropriate active recreation.
- EM-9.6: Encourage new private construction and major remodels to be designed to meet or exceed Green Uniform Building Code requirements.
- EM-11.4: Provide an integrated network of bicycle and pedestrian thoroughfares that connects jobs and housing to other city destinations.
- EM-11.6: Encourage employers to incentivize employee use of mass transit and alternative modes of transportation.
- PR-2.5: Promote the development of publicly-accessible urban trails throughout the city to provide access to the natural environment and facilitate nonmotorized transportation options.
- PR-2.7: Encourage new development to provide trails and trail connection easements or dedications where feasible and appropriate.

## **Exhibit B - Development Agreement**