REGULAR MEETING OF THE
FOSTER CITY PLANNING COMMISSION

Council Chambers
620 FOSTER CITY BOULEVARD, FOSTER CITY, CA 94404
7:00 PM

Thursday, September 20, 2018

AGENDA

1 CALL TO ORDER

2 ROLL CALL

Dan Dyckman, Chairman
Noemi Avram, Commissioner Oliver "Ollie" Pattum, Commissioner
Paul C. Williams, Commissioner Richard D. Wykoff, Commissioner

3 COMMUNICATIONS FROM THE PUBLIC

Under this agenda item, members of the public may bring items not already on the agenda. The Ralph M. Brown Act (the State local agency open meeting law) prohibits the Planning Commission from acting on any matter that is not on the agenda. Speakers are asked to fill out a "request to speak" card located on the table by the door and hand it to staff. Unless additional time is authorized by the Chair of the Planning Commission remarks should be limited to three minutes.

4 CONSENT CALENDAR

All matters listed under this item are considered to be routine by the Planning Commission and will be enacted by one motion in the form listed below. There will be no separate discussion of these items unless a citizen or a member of the Planning Commission so requests. If discussion is required, that item will be removed from the Consent Calendar and will be considered separately at the conclusion of the Consent Calendar. Vote may be by roll call.

4.1. MINUTES OF SEPTEMBER 6, 2018 REGULAR MEETING

5 CONTINUED PUBLIC HEARING

6 NEW PUBLIC HEARING

1. Open Public Hearing
2. Staff Report
3. Public Testimony
4. Close Public Hearing
5. Adopt Resolution No. P-18 Approving UP2018-0046
   or
   Adopt Resolution No. P-18 Denying UP2018-0046

Project Planner: Monica Ly, Assistant Planner 650-286-3245 or mly@fostercity.org

6.2. PLANNING COMMISSION PUBLIC HEARING TO CONSIDER: 1) A TENTATIVE MAP APPROVAL FOR A LOT SPLIT OF AN EXISTING APPROXIMATELY 10,394 SQ. FT. LOT WITH AN EXISTING SINGLE FAMILY HOUSE IN THE ALDEN CROSSING PLANNED DEVELOPMENT INTO TWO (2) LOTS OF 5,249 SQ. FT. AND 5,145 SQ. FT. EACH; AND 2) AN ARCHITECTURAL REVIEW APPROVAL TO CONSTRUCT A NEW TWO-STORY HOUSE OF 1,952 SQ. FT. FIRST STORY AND 1,007 SQ. FT. SECOND STORY ON THE NEW VACANT LOT – 390 BISCAYNE AVENUE – NEIGHBORHOOD 8 – DISTRESSED HOME SOLUTIONS, LLC – APN 094-950-380 – AR-16-057 AND RS-16-002

1. Open Public Hearing
2. Staff Report
3. Public Testimony
4. Close Public Hearing
5. Adopt Resolution No. P-18 Approving AR-16-057
   or
   Adopt Resolution No. P-18 Denying AR-16-057

   Adopt Resolution No. P-18 Approving RS-16-002
   or
   Adopt Resolution No. P-18 Denying RS-16-002

Project Planner: Marlene Subhashini, Planning Manager 650-286-3244 or msubhashini@fostercity.org

7 OLD BUSINESS
8 NEW BUSINESS
9 STUDY SESSION
9.1. UPDATE OF RECREATION CENTER MASTER PLAN

1. Staff Report
2. Public Testimony
3. Discussion

Project Planner: Jennifer Liu, Parks & Recreation Director 650-286-3390 or jliu@fostercity.org

10 COMMUNITY DIRECTOR REPORT

11 STATEMENTS AND REQUESTS FROM THE COMMISSIONER

12 ADJOURNMENT

NOTICES

Legal notices were posted in accordance with State law at City Hall, 610 Foster City Blvd.; Foster City Public Library, 1000 E. Hillsdale Blvd.; Foster City Recreation Center, 650 Shell Blvd. (near the south building entrance); Metro Center Sign Kiosks (between 921 and 987 E. Hillsdale Blvd.); Sea Cloud Park, Pitcairn Drive (on the snack shack/restroom building); and on those properties about which a public hearing was held; and published in a newspaper of general circulation. Additionally, owners of property within 300 feet were mailed Notice of Public Hearing a minimum of ten (10) days in advance. Agendas for Planning Commission Meetings are posted on cable television channel 27 and the City’s web site (www.fostercity.org) several days in advance of the meetings.

EVIDENCE

Quasi-judicial Matters

California law requires that quasi-judicial matters be based on evidence. Applications before the Planning Commission involve matters that are quasi-judicial and therefore decisions must be supported by evidence.

In General

All oral, written or pictorial evidence to be considered by the Planning Commission must be received prior to a decision being rendered by the Commission. Written, documentary, or pictorial evidence shall be collected and kept by the City for record purposes, and must be made available to an applicant, appellant or the public prior to a decision being rendered by the Commission. Evidence received or submitted during a public hearing or public meeting while an item is being discussed and evaluated by the Planning Commission shall be deemed to have met this requirement.

Evidence submitted for the record and for Planning Commission consideration may take the form of oral testimony, written information, documents, pictures, video tapes, audio tapes, and similar information. All evidence submitted must be of a length that is practicable for use by Commission members, and depending on its length and how it must be accessed or the need for special equipment in order to access it, must be received in a timely manner so as to afford the Commission and the public a reasonable opportunity to evaluate it and to allow an applicant, appellant and/or the public an opportunity to discuss, question and rebut it.

Any written material, correspondence or documents provided to a majority of the Planning Commission regarding any item on this agenda after the agenda packet was distributed will be made available for
public inspection in the Community Development Department at City Hall located at 610 Foster City Blvd., Foster City, 94404, during normal business hours and at the meeting.

Information not admitted into the formal record shall not be used in rendering a decision.

APPEALS

All actions of the Planning Commission are appealable to the City Council within ten (10) calendar days of the date the action was taken. All appeals must be submitted in accordance with Section 17.06.150, Appeal Procedure, of Title 17 of the Foster City Municipal Code (copies available at City Hall). The required appeal fee as adopted by the City Council must accompany an appeal to the City Council of a decision of the Planning Commission or it will be considered incomplete.

MEETINGS

Unless otherwise scheduled, the Planning Commission meets in Study Session on the first and third Tuesdays of each month and conducts regular business and Public Hearings on the first and third Thursdays of each month.

Meetings begin at 7:00 p.m. and are held in the Council Chambers, 620 Foster City Boulevard.

Any attendee wishing special accommodations at the meeting should contact Becki Hanan, Management Coordinator, Community Development Department, at (650) 286-3225, or send an electronic mail request to bhanan@fostercity.org at least 48 hours in advance of the meeting or contact the staff at planning@fostercity.org per the Americans with Disabilities Act.

PLANNING COMMISSION AGENDAS AND MINUTES ARE POSTED ON LINE AT: WWW.FOSTERCITY.ORG

Regular meetings replay on FCTV Channel 27 at 1:00 p.m. on Friday and 5:00 p.m. on Sunday, following the meeting.
1. **CALL TO ORDER**  
   At 7:00 p.m. by Dyckman

2. **ROLL CALL**  
   Present: Commissioners Avram, Pattum, Wykoff and Chair Dyckman  
   Absent: Commissioner Williams  
   Staff Present: Curtis Banks, Community Development Director; Marlene Subhashini, Planning Manager

3. **COMMUNICATIONS FROM THE PUBLIC**  
   1. None

4. **CONSENT CALENDAR**  
   1. **MINUTES OF AUGUST 16, 2018 REGULAR MEETING**  
      
      ACTION: Motion by Commissioner Avram, seconded by Commissioner Wykoff to approve the Minutes of August 16, 2018 Regular Meeting, passed 4-0-0-1 (Williams)

5. **CONTINUED PUBLIC HEARING**  
   1. None

6. **NEW PUBLIC HEARING**  
   1. **PLANNING COMMISSION PUBLIC HEARING FOR: 1) A RECOMMENDATION TO THE CITY COUNCIL TO REMOVE 551 FOSTER CITY BOULEVARD FROM THE PILGRIM TRITON GENERAL DEVELOPMENT PLAN - FILE RZ2018-0004; 2) A RECOMMENDATION TO THE CITY COUNCIL FOR ADOPTION OF AN AMENDMENT TO THE FOSTER CITY ZONING MAP FOR REZONING 581 FOSTER CITY BOULEVARD FROM C-1 (NEIGHBORHOOD BUSINESS) DISTRICT TO CM/PD (COMMERCIAL MIX/PLANNED DEVELOPMENT) DISTRICT AND A NEW GENERAL DEVELOPMENT PLAN FOR 551 & 581 FOSTER CITY BOULEVARD TO ALLOW A DENTAL OFFICE ON + 0.98 ACRES – FILE RZ-15-003; AND 3) APPROVAL OF A SPECIFIC DEVELOPMENT PLAN/USE PERMIT FOR THE FAMILY DENTAL OFFICE AT 551 & 581 FOSTER CITY BOULEVARD – FILE UP-15-007 – POLLY CHAN AND BILL WILLIS – NEIGHBORHOOD PT – APNS 094-010-370 & 094-010-790**  
      
      ACTION: Motion by Commissioner Avram, seconded by Commissioner Pattum to close public hearing, passed 4-0-0-1 (Williams)
ACTION: Motion by Commissioner Wykoff, seconded by Commissioner Avram, to Adopt Resolution No. P-16-18, recommending City Council approval of RZ2018-0004, passed 4-0-0-1 (Williams)

ACTION: Motion by Commissioner Pattum, seconded by Commissioner Avram, to Adopt Resolution No. P-17-18, recommending City Council approval of RZ-15-003, passed 4-0-0-1 (Williams)

ACTION: Motion by Commissioner Wykoff, seconded by Commissioner Pattum, to Adopt Resolution No. P-18-18, approving UP-15-007, passed 3-1-0-1 (Avram, Williams)

7. OLD BUSINESS
   1. None

8. NEW BUSINESS
   1. None

9. STUDY SESSION
   1. None

10. COMMUNITY DIRECTOR REPORT
    1. None

11. STATEMENTS AND REQUESTS FROM THE COMMISSIONERS
    1. Commissioner Wykoff had comments.

12. ADJOURNMENT

    Adjourned at 7:28 PM to a September 20, 2018 Regular Meeting, Council Chambers, 620 Foster City Boulevard, Foster City, California.
PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a
Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

______________________________
DAN DYCKMAN, CHAIRMAN

ATTEST:

______________________________
CURTIS BANKS, SECRETARY
TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: MONICA LY, ASSISTANT PLANNER

CASE NO.: UP2018-0046

OWNER: GILEAD SCIENCES, INC. / GUCKENHEIMER (APPLICANT)

PROJECT LOCATION: 303 AND 309 VELOCITY WAY (NEIGHBORHOOD VINTAGE PARK)

REQUESTED ACTION/PURPOSE

Use Permit request to allow on-site sale and consumption of beer and wine associated with the Guckenheimer catering operations for events hosted in the Gilead Buildings located at 303 and 309 Velocity Way in the Vintage Park Neighborhood.

RECOMMENDATION

That the Planning Commission adopt the attached Resolution approving UP2018-0046 subject to Conditions of Approval in Exhibit A.

GENERAL INFORMATION

GENERAL PLAN DESIGNATION: Research/Office Park

ZONING DISTRICT: CM/PD (Commercial Mix/Planned Development) District

ZONING HISTORY: In 1981, the City Council approved the original General Development Plan/Rezoning for Vintage Park, including research and development uses on the subject property (File RZ-80-010).

In 1987, the Planning Commission approved a Use Permit to allow up to 44,203 square feet of research and development and office space on the subject property (UP-85-48/362 Lakeside Drive).

In 2013, the City Council approved an amendment to the Foster City Zoning Map to modify the previously approved General Development Plan for the 132-acre land known as Vintage Park to allow biopharmaceutical office and laboratory uses, ancillary facilities and structured and at-grade parking facilities in order to create the integrated Gilead Science corporate Campus Master Plan (Ordinance No. 576).

SURROUNDING LAND USE: North: Mariners Point Golf Center/East Third Avenue

South: Gilead Sciences, Inc. campus/Vintage Park Drive/Lakeside Drive/Bridgepointe Shopping Center (San Mateo)
Guckenheimer, a corporate caterer which provides food service to Gilead Sciences, Inc. has requested Planning Commission approval of a Conditional Use Permit to sell and serve beer and wine in conjunction with their catering operations at Gilead sponsored events held at 303 and 309 Velocity Way at the Gilead Sciences campus. The zoning district within which the property is located is Commercial Mix/Planned Development (CM/PD) District. The approved General Development Plan for the site does not allow the sale of alcoholic beverages on-site for consumption. Section 17.28.030, Permitted Uses, of Chapter 17.28, Commercial Mix District, of Foster City Municipal Code allows for approval by the Planning Commission of uses “found to be similar to the uses previously approved.”

Approval of a Conditional Use Permit is therefore required to allow on-site sale and consumption of beer and wine at the Gilead Sciences campus buildings 303 and 309 Velocity Way.

On August 6, 2018, Guckenheimer Services, LLC applied for Alcoholic Beverage Control (ABC) Licenses Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) and Type 58 (Caterer’s Permit).

On August 20, 2018, an application was submitted to request Planning Commission approval to allow on-site sale, service, and consumption of beer and wine in conjunction with catering operations at Gilead sponsored events held at 303 and 309 Velocity Way. On September 11, 2018 revised plans and supplemental materials were submitted, and the project was scheduled to be heard by the Planning Commission at a Public Meeting.

Public Noticing

In order to inform the most immediately-affected property owners, the neighborhood and the general public, the Public Hearing was noticed in the following ways:

- Published in the Islander on September 5, 2018
- Displayed on FCTV/Channel 27 on September 6 through September 20
- Displayed on the marquee at Leo J. Ryan Park from September 13, 2018 through September 20, 2018
- Sent via email through the Planning Listserv on August 31, 2018
- Sent via email through to the Gilead Listserv on August 31, 2018
- A Public Notice was mailed to neighbors within 300 feet of the subject site on September 5, 2018
- Posted on the Foster City website at www.fostercity.org on August 31, 2018
- Posted on-site and at all of the City’s official posting locations on September 5, 2018

ANALYSIS

The subject site (303 and 309 Velocity Way) is part of the Vintage Park General Development Plan. Permitted land uses include office, research and development, and light industrial type of uses. Other uses may be approved from time to time by the Planning Commission if found to be similar to those previously approved.

Guckenheimer is a contract food service provider that has operated the cafés and provided catering for events at the Gilead Sciences campus for twenty-one (21) years. Guckenheimer’s business operations include quick-service cafés and catering of on-site events. Guckenheimer staff
include one (1) onsite General Manager, one (1) Catering Director, two (2) Catering Managers, three (3) Café Managers, three (3) Café Chefs and approximately 75 full-time non-exempt employees. Current business hours are Monday thru Friday, 7:00 a.m. to 6:00 p.m. The Cafés, located on the 1st floor of the buildings located at 303 and 309 Velocity Way, serves approximately 3,300 customers per day providing breakfast and lunch including a variety of ethnic meals, soups, snacks and sandwiches. The Guckenheimer Catering Department serves five hundred (500) customers per day providing hot and cold international cuisines daily, snacks, and desserts. See attached project description.

Events, such as board dinners and departmental gatherings, are held inside both the 303 and 309 Velocity Way buildings. Alcoholic beverage services for special events are currently provided by a beverage catering company (contracted by Guckenheimer) through a temporary ABC license. To reduce costs from contracting out to a third party each time as well as to avoid obtaining a temporary ABC license, Guckenheimer proposes to apply for a permanent ABC license to serve beer and wine in conjunction with their catering operations at these special events.

Guckenheimer proposes to serve beer and wine through their Catering Department for indoor on-site events only (not for general sales). Beer and wine sales are anticipated to be less than five percent (5%) of the Catering Department’s total revenue. The storage of alcoholic beverages is proposed inside an office located in the Café at 303 Velocity Way building. The service of alcoholic beverages is proposed indoors at the general seating area inside the Cafés and inside meeting rooms located at 309 Velocity Way. See attached site and floor plans for 303 and 309 Velocity way.

Staff Comments/Recommendation:

The request to serve beer and wine is appropriate for the Guckenheimer Catering Operations in the proposed locations inside the Cafés and inside the meeting rooms where Gilead events are held. The request to sell beer and wine at these events is a common and reasonable request for an in-house catering business and is compatible with similar land uses located in the Commercial Mix Zoning Districts. Staff is unaware of any concerns associated with any catering business in Foster City which is engaged in the sale and service of beer and wine. Staff recommends approval of the Use Permit request as proposed.

SUMMARY

The following table outlines the unresolved project issues where the applicant and staff disagree and which require a decision by the Planning Commission.

Table 1: Summary of Unresolved Issues

<table>
<thead>
<tr>
<th>Planning Issue</th>
<th>Proposed By Applicant</th>
<th>Staff Recommendation</th>
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<tbody>
<tr>
<td>• None</td>
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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.
INDIVIDUALS, ORGANIZATIONS, AND DOCUMENTS CONSULTED

Jeff Ortega, Area Manager, Guckenheimer
Chapters 17.24 and 17.28 of the Foster City Municipal Code

FINDINGS

Refer to attached Resolution.

CONDITIONS

Refer to Exhibit A attached to Resolution.

ATTACHMENTS

- Resolutions (2)
- Project Description
- Vicinity Map
- Project Plans dated September 12, 2018
RESOLUTION NO. P-____-18


CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, on August 20, 2018, the property owner and applicant have requested Planning Commission approval of a Conditional Use Permit to allow the on-site sale and consumption of beer and wine associated with the Guckenheimer catering operations for events hosted in the Gilead buildings located at 303 & 309 Velocity Way; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from the California Environmental Quality Act of 1970; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration of the Use Permit request at the Planning Commission meeting of September 20, 2018 and on said date the Public Hearing was opened, held and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on facts and analysis in the Staff Report, written and oral testimony, and exhibits presented, finds:

A. The proposal to allow the on-site sale and consumption of beer and wine associated with the Guckenheimer catering operations for events sponsored by Gilead as conditioned in Exhibit A attached, would be consistent with the Foster City General Plan, Chapters 17.28 (C-M Commercial Mix District) and 17.36 (PD Planned Development Combining District) of Title 17, (Zoning), and Chapter 2.28, (Planning), of Title 2, (Administration and Personnel), of the Foster City Municipal Code, because: the proposal will allow the Guckenheimer Catering Department serve beer and wine in conjunction with their catering operations for events only, consistent with the CM/PD zoning designation for the site which allows a flexibility of uses; will facilitate “economic development for specialized commercial uses” and maintain “a variety of commercial goods and services” as stated in the Land Use and Circulation Goals (LUC-C and LUC-D) and Land Use and Circulation Policies (LUC-28) contained in the Land Use and Circulation Element of the Foster City General Plan.
B. That the proposal would not, 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, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because the proposed on-site sale and consumption of beer and wine, as conditioned, will only be allowed in conjunction with the catering operations at events located within the two Gilead buildings; and the proposal will not adversely impact the subject property, adjacent properties, or the Vintage Park Development because it will not create significant noise impacts to the surrounding uses since alcohol will only be served within the Gilead buildings at the designated areas inside the Cafés located at 303 & 309 Velocity Way and inside the meeting rooms located at 309 Velocity Way.

BE IT FURTHER RESOLVED that the Planning Commission approves UP2018-0046, subject to the conditions in Exhibit A, attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

DAN DYCKMAN, CHAIRMAN

ATTEST:

CURTIS BANKS, SECRETARY
EXHIBIT A

(Conditions attached to approval of UP2018-0046 by the Planning Commission on September 20, 2018)

1. The Planning Commission shall institute Conditional Use Permit revocation proceedings if the on-site sale and consumption of beer and wine creates a public nuisance.

2. The applicant shall comply with all applicable State and Federal Laws concerning the sales of alcoholic beverages and the Type 41 Alcoholic Beverage License for On-Sale Beer and Wine for Bona Fide Public Eating Place and the Type 58 Alcoholic Beverage License for Caterer’s Permit.

3. The on-site sale and consumption of alcoholic beverages shall be limited to beer and wine only and for Gilead sponsored events only within the designated areas located at 303 and 309 Velocity Way buildings on the Gilead Campus.

4. The on-site sale and consumption of beer and wine shall be limited to the hours of operation of the business as follows:

   Monday through Friday: 12:00 p.m. – 10:00 p.m.
RESOLUTION NO. P-18

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY
DENYING A CONDITIONAL USE PERMIT REQUEST TO ALLOW THE ON-SITE SALE AND
CONSUMPTION OF BEER AND WINE ASSOCIATED WITH THE GUCKENHEIMER
CATERING OPERATIONS FOR EVENTS HOSTED IN THE GILEAD BUILDINGS – 303 & 309
VELOCITY WAY– GILEAD SCIENCES INC. – APN: 094-122-140, APN: 094-122-050, APN:
094-122-060 – NEIGHBORHOOD 1 – UP2018-0046

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, on August 20, 2018, the property owner and applicant have requested
Planning Commission approval of a Conditional Use Permit to allow the on-site sale and
consumption of beer and wine associated with the Guckenheimer catering operations for events
hosted in the Gilead Buildings located at 303 & 309 Velocity Way; and

WHEREAS, the proposal has been determined by the Community Development Director
to be categorically exempt from the California Environmental Quality Act of 1970; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for
consideration of the Use Permit request at the Planning Commission meeting of September 20,
2018 and on said date the Public Hearing was opened, held and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on facts
and analysis in the Staff Report, written and oral testimony, and exhibits presented, finds:

1. The proposal to allow the on-site sale and consumption of beer and wine associated with
the Guckenheimer catering operations for events sponsored by Gilead, would not be
consistent with the Foster City General Plan, Chapters 17.28 (C-M Commercial Mix
District) and 17.36 (PD Planned Development Combining District) of Title 17, (Zoning),
and Chapter 2.28, (Planning), of Title 2, (Administration and Personnel), of the Foster
City Municipal Code, because:

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________.
2. That the proposal **would not** be consistent with and appropriate to the City, the neighborhood, and the lot on which they are proposed because:

______________________________________________________________________

______________________________________________________________________

______________________________________________________________________.

3. That the proposal **would**, 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, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because:

______________________________________________________________________

______________________________________________________________________

______________________________________________________________________.

BE IT FURTHER RESOLVED that the Planning Commission hereby **denies** UP2018-0046.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

____________________________
DAN DYCKMAN, CHAIRMAN

ATTEST:

____________________________
CURTIS BANKS, SECRETARY
Project Description

Guckenheimer’s business operations at the Gilead buildings will include quick-service cafés and catering of on-premises events. Café and catering operations will run from 7 am to 6 pm, Monday thru Friday. Staffing will include one onsite General Manager, one Catering Director, two Catering Managers, three Café Managers, three Café Chefs and approximately 75 full-time non-exempt employees.

The cafés will service approximately 3,300 customers per day. Catering operations will service approximately 500 customers per day. Beer/Wine sales are anticipated to be less than 5% of total revenue. Beer/Wine will only be served through the Catering Department as specifically requested by Gilead.

Cafés on campus will serve breakfast and lunch daily including a variety of ethnic meals, soups, snacks and sandwiches. The Catering department serves hot and cold international cuisines daily, along with various snacks and desserts. Custom menus are created for special events and may be served seated/plated or buffet style. Wellness is an integral part of the services with a focus on local and plant based foods.
Vicinity Map
Alcoholic Beverage Catering to be Provided in Cafe Seating Area During Gilead Sponsored Events Only
Alcoholic Beverage Catering to be Provided in Designated Meeting Rooms During Gilead Sponsored Events Only

Nighthawk - 3242SF
Nighthawk Storage - 469
Total - 3710 SF
TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: MARLENE SUBHASHINI, PLANNING MANAGER

CASE NO.: AR-16-057 & RS-16-002

OWNER: DISTRESSED HOME SOLUTIONS, LLC (C/O ARTHUR LIN)

PROJECT LOCATION: 390 BISCAYNE AVE. (ALDEN CROSSING / NEIGHBORHOOD 8)

REQUESTED ACTION/PURPOSE

The purpose of this Public Hearing is to: 1) Review a Tentative Map request for a lot split of an existing 10,394 sq. ft. lot located at 390 Biscayne Avenue in the Alden Crossing Planned Development into two (2) lots of 5,249 sq. ft. and 5,145 sq. ft. each; and 2) An Architectural Review permit to construct a new two-story house of 2,959 sq. ft. including the garage on the new lot.

Note that the Architectural Review Permit approval would be effective when the Final Map (RS-16-002) for the Lot Split is approved and recorded.

RECOMMENDATION

That the Planning Commission adopt the attached Resolutions approving AR-16-057 and RS-16-002 subject to Conditions of Approval.

GENERAL INFORMATION

GENERAL PLAN DESIGNATION: Single Family Residential

ZONING DISTRICT: R-1/PD (Single-Family Residence/Planned Development Combining District) – Alden Crossing Development

ZONING HISTORY: On August 2, 1984, the Foster City Planning Commission approved a request for a Use Permit and Tentative Subdivision Map entitled Tract No. 103-84 by adoption of Resolutions P-95-84 and P-96-84 with conditions of approval to allow the construction of a 92-unit single-family detached planned residential development on a 17.07-acre site – UP-8-84 and RS-9-84

On November 5, 1984, the City Council of the City of Foster City approved the Final Subdivision Map entitled Tract No. 103-84 by adopting Resolution No. 84-160 and authorized execution of Subdivision Agreement for public improvements, Alden Crossing to allow the development of a 92-unit single-family residential development for a
density of 5.4 units per acre on a 17.07-acre vacant site located at the northwest corner of Port Royal Avenue and Edgewater Boulevard – RS-9-84 and DA-1-80

SURROUNDING LAND USE: North: R-1 Single-family houses
South: Port Royal Avenue and R-T/PD Townhouses in Williams Landing
East: R-1/PD Single-family houses in Alden Crossing Development
West: Biscayne Avenue, R-1 Single-Family houses and R-1/PD Single-family houses in Greenport Development

LOT SIZE: 10,368 square feet (Gross Site Area - Assessor’s Records)

EXTERIOR CONSTRUCTION:

<table>
<thead>
<tr>
<th>ALDEN CROSSING APPROVED COLORS AND MATERIALS</th>
<th>PROPOSED COLORS AND MATERIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Siding</strong></td>
<td></td>
</tr>
<tr>
<td>James Hardie Plank Siding – five (5), six (6) or seven (7) inches wide exposure (or) Wood plank siding that matches the existing siding – five and one-half inches wide</td>
<td>Seven (7) inches Horizontal James Hardie Board Lap Siding</td>
</tr>
<tr>
<td><strong>Colors</strong></td>
<td></td>
</tr>
<tr>
<td>Pre-approved color scheme for Alden Crossing</td>
<td>Kelly Moore 3812-2 (Blue Gray) for the siding</td>
</tr>
<tr>
<td></td>
<td>Kelly Moore 1240-121 (White) for trim, gutters and fascia</td>
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<tr>
<td><strong>Trim</strong></td>
<td></td>
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<tr>
<td>1 x 6 vertical wood trim on the building exterior</td>
<td>1 x 6 building wood trim</td>
</tr>
<tr>
<td></td>
<td>2 x 10 wood trim for fascia</td>
</tr>
<tr>
<td><strong>Roof</strong></td>
<td></td>
</tr>
<tr>
<td>CertainTeed Presidential Platinum or GAF Timberline – Slate Ultra HD</td>
<td>CertainTeed Presidential Platinum</td>
</tr>
<tr>
<td><strong>Windows</strong></td>
<td></td>
</tr>
<tr>
<td>White Vinyl to match existing windows in size, style, design, trim (1 x 6 trim on sides and 1 x 8 trim at the bottom) and location, including casement vs. double hung, etc. and grids or no grids.</td>
<td>White Vinyl with 1 x 6 trim on the sides and 1 x 8 trim at the bottom (sil level)</td>
</tr>
<tr>
<td><strong>Garage Doors</strong></td>
<td></td>
</tr>
<tr>
<td>Raised panel design per Exhibit B of UP-84-008H - Solid or with one row of windows in the top section and painted white or match the unit’s body color in wood, wood composite or steel materials</td>
<td>Long panel 4 x 4 garage door (see plans for design) with 1 x 8 trim</td>
</tr>
</tbody>
</table>

KEY PLANNING OR DESIGN ISSUES

- Architectural compatibility of the design of proposed house with the approved Plan Type 3 in Alden Crossing
BACKGROUND

390 Biscayne Avenue is part of the Alden Crossing Planned Development. Houses in Alden Crossing are internally oriented except for the lot at 390 Biscayne Avenue which is located at the northeast corner of Port Royal and Biscayne Avenue abutting single-family residential houses in the R-1 zoning district along Biscayne Avenue. The proposal has been ongoing since April 2013. For a timeline of key events and complete background information, refer to the attached Planning Commission Study Session Staff Reports dated August 17, 2017 and January 18, 2018.

At the Planning Commission Study Session meeting of January 18, 2018, the Commission reviewed and discussed revised site and architectural plans for the proposed lot split at 390 Biscayne and design of the new two-story house. The Commission was supportive of the Lot Split. For the January 18th meeting, the applicant had made significant changes to address comments from the previous Study Session that was held on August 17, 2017 including decreasing the square footages of the first and second stories, setting back the second story from the first story building walls on the rear, stepping in the second story wall on the right and reducing the overall massing of the new house.

The following is a summary of comments that were provided at the January 18, 2018 meeting. The approved Meeting Minutes are attached for reference.

- Three of the Commissioners were supportive of the changes made to the design and felt that it addressed their comments related to massing and articulation.
- Two of the Commissioners felt that the design of the house does not look like Plan Type 3 and is not harmonious with other houses in the neighborhood.
- Two of the Commissioners mentioned that the height of the house should be lowered to be compatible with Plan Type 3
- One of the Commissioners mentioned that the design of the garage door needs to be per the approved prototypes for Alden Crossing and that a complete Solar Study needs to be provided.
- One of the Commissioners recommended that the language and design intent from Alden Crossing homes be incorporated including the following:
  - On the side elevation facing Port Royal, the window can be centered under the gable and the vent can be eliminated
  - On the rear elevation, the vent can be eliminated and better articulation can be provided including incorporating a generous gable that mimics Plan Type 3
  - Encouraged the use of round top transoms for fenestration similar to other houses in Alden Crossing and Plan Type 3

The applicant submitted revised plans on May 31, 2018 and the project was deemed complete on June 8, 2018. Public Works consultant, Wilsey Ham, reviewed the Tentative Map application for the lot split (RS-16-002). On September 5, 2018, Wilsey Ham confirmed that the Tentative Map in conjunction with the Lot Split has met all the City requirements.

PUBLIC NOTICING

The public was advised of the September 20, 2018 Meeting in the following ways:

- ¼ page ad in the Foster City Islander – September 5, 2018
- Electronic mailing to the property applicants, owners and persons who expressed interest in receiving project updates – August 31, 2018
- Mailing to property owners who own property within a 500-foot radius – September 6, 2018
ANALYSIS

Consistency with the General Plan

The existing General Plan designation of the site is Single-Family Residential, which allows up to eight (8) dwelling units per acre. The proposed land use is the same as the existing Single-Family Residential and therefore, is consistent with the land use designation in the General Plan for the site. The Alden Crossing development comprises of Parcels D and E that were originally part of a Master Development Agreement that not only included Alden Crossing but also several other developments in neighborhoods 7 and 8 that were approved for a total of 1240 units. The maximum number of units permitted as part of this Master Development Agreement (DA) for Alden Crossing was 93 single-family units. However, Alden Crossing was developed with 92 units and a 6,700 sq. ft. site was selected by the City to be dedicated for a future fire station. The existing density for Alden Crossing is 5.4 units per acre (total of 92 units on 17.07 acres). If an additional unit is added for a total of 93 units, the total density would be 5.5 units per acre which is within the allowable density established in the General Plan as well as the originally establish Master DA for the site.

Consistency with the Zoning Ordinance Requirements

Since Alden Crossing was developed as a Single Family Residential/Planned Development (R-1/PD) district, it provides some flexibility for development standards when compared to the standard R-1 zoning standards. The table below shows a comparison of the R-1 standards, the R-1/PD standards, the existing single family home and the proposed single family home:

<table>
<thead>
<tr>
<th></th>
<th>R-1 ZONING STANDARDS</th>
<th>R-1/PD ZONING ALDEN CROSSING</th>
<th>LOT 1 (EXISTING SINGLE-FAMILY HOME – 390 Biscayne Avenue)</th>
<th>LOT 2 (PROPOSED SINGLE-FAMILY HOME)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>5,000 sq. ft. minimum</td>
<td>6,000 sq. ft. average</td>
<td>5,249 sq. ft.</td>
<td>5,145 sq. ft.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Lot sizes range from 4,900 sq. ft. to 10,394 sq. ft.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot Width</td>
<td>40’-0” minimum</td>
<td>55’-0” to 60’-0”</td>
<td>55’-3”</td>
<td>52’-39” (at the narrowest part) and 56’-0” (at the widest part of the lot)</td>
</tr>
<tr>
<td>Height</td>
<td>Average 25’-0” maximum*</td>
<td>Maximum height of 25’-0”</td>
<td>25’-0” to top of the roof ridge</td>
<td>24’-6” to top of the roof ridge</td>
</tr>
<tr>
<td>Front Setback</td>
<td>20’-0” minimum</td>
<td>Minimum 10’-0” but varies depending on Plan type</td>
<td>Main House: 10’-0” (existing)</td>
<td>Main House: 20’-0”</td>
</tr>
<tr>
<td></td>
<td>R-1 ZONING STANDARDS</td>
<td>R-1/PD ZONING ALDEN CROSSING</td>
<td>LOT 1 (EXISTING SINGLE-FAMILY HOME – 390 Biscayne Avenue)</td>
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</tr>
<tr>
<td>--------------------</td>
<td>----------------------</td>
<td>------------------------------</td>
<td>----------------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>20'-0&quot; minimum</td>
<td>Varies depending on plan type</td>
<td>Main House: 23'-8&quot; (existing)</td>
<td>Main House: 20'-0&quot;</td>
</tr>
<tr>
<td>Left Side Setback</td>
<td>5'-0&quot; minimum</td>
<td>5'-0&quot; minimum</td>
<td>5'-0&quot; (existing)</td>
<td>5'-0&quot;</td>
</tr>
<tr>
<td>Right Side Setback</td>
<td>5'-0&quot; minimum</td>
<td>5'-0&quot; minimum</td>
<td>5’ - 0” (new)</td>
<td>10'-0” (street side)</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>50% maximum</td>
<td>34-45%</td>
<td>Approx. 36%</td>
<td>Approx. 40%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(including 108 sq. ft. covered porch)</td>
<td></td>
</tr>
<tr>
<td>Floor Area</td>
<td>1,800 sq. ft.</td>
<td>2,140 to 2,625 sq. ft.</td>
<td>2,390 sq. ft.</td>
<td>2,959 sq. ft.</td>
</tr>
<tr>
<td></td>
<td>minimum (excludes garage)</td>
<td></td>
<td>(1,247 sq. ft. on first story plus 1,143 sq. ft. on second story)</td>
<td>(1,527 sq. ft. on first story plus 425 sq. ft. garage)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1,007 sq. ft. on second story</td>
</tr>
</tbody>
</table>

ARCHITECTURE

As noted above, the project was reviewed by the Planning Commission at three Study Sessions held on, October 15, 2013, August 17, 2017 and January 18, 2018. Planning Commission direction to the applicant at the Study Sessions was to follow Plan Type 3 with a two-car garage instead of a three-car garage. At the January 18, 2018 Planning Commission Study Session, the Commission provided some comments to the applicant related to the building design, building height and compatibility of the proposed house with other houses in the Alden Crossing development. This report will discuss changes to the plans since the January 18th meeting. Plans of the originally approved Plan Types in Alden Crossing, plans reviewed at the January 18, 2018 Planning Commission meeting (Floor Plan, Roof Plan and Elevations only) and the latest revised plans are attached to the report for reference. The following comments summarize the changes from the previous submittal that the Commission reviewed.

- There are no changes to the square footage from the previous submittal. The square footage of the first story is 1,527 square feet and the size of the garage is 425 square feet. The size of the second story remains unchanged at 1,007 square feet.

- The overall building height from the topmost portion of the ridge has been reduced from 25'-10" to 24'-6" while the plate height remains unchanged at 9'-0".

- On the front (west) elevation, facing Biscayne Avenue, the design of the garage door has been revised to be Long Panel Sections (4 x 4) consistent with the Alden Crossing Garage Door Prototype.

- On the right side (south) elevation, facing Port Royal Avenue, the gable has been off-centered to the right to allow for the centering of the window under the gable. In addition, the gable vent on this side has been eliminated.

- On the rear (east) elevation, the gable style has been modified and a more generous gable has been added with a wood louvered arched vent centered on the gable.
Although the roof plan depicts a standard gable, the elevation shows a solid gable with an interior rake and vent.

- On the left side (north) elevation, a gable roof above the second story window on the left has been added to give the appearance of a dormer window.

PRIVACY AND SOLAR IMPACTS

The Planning Commission and City Council adopted Solar Policy P-1-2000 on January 18, 2000. The Policy categorizes kitchens, living rooms, dining rooms and rear yards as “high use” spaces and bedrooms as “low use” spaces. The Policy defines an impact to the adjacent property as significant if the addition does the following:

- Completely eliminates all direct sunlight to any high-use living space in an adjacent house.
- Reduces more than two hours of direct sunlight to a high-use living space (living/dining room or kitchen), or if it reduces more than four hours of direct sunlight to a low use space (bedroom, but not including bathroom).
- Reduces the amount of time that an adjacent house’s windows receive direct sunlight by more than 50 percent at any season where an impact occurs.

A revised Solar Study was provided to include the solar impacts during the Spring and Fall seasons. Given the proposed first story and second story rear setbacks of the new house and an additional approximately 40’-0” separation to the rear house located at 193 Thatcher Lane, the applicant has confirmed that there are no shadow or solar impacts to the adjacent property on the rear.

Based on the Solar Study and questionnaire submitted, there is some impact to the adjacent house on the left during the winter season. Approximately 2 hours of sunlight is lost to the multipurpose room (a high-use living space) and 4 hours and 44 minutes of sunlight is lost to the stair landing area (a low use space). Based on the thresholds of significance outlined above, there is no reduction of direct sunlight for more than two hours to the multi-purpose room which is a high-use living space. The proposed house however, will reduce the amount of time that the adjacent house’s window stair landing area (a low-use space) receives direct sunlight by more than 50 percent during the winter season. This area currently receives sunlight between the hours of 12:10 pm to 4:54 pm. With the proposed house, sunlight will be completely lost during those hours in this low use space.

The guidelines established by the Solar Policy are intended to be flexible and evaluated on a case-by-case basis. The recommendation balances the rights of one property owner to improve his/her property and the rights of another property owner to enjoy direct sunlight. Given that the area that is impacted is a stair landing area which is a low-use space, and the stair landing area receives light from an additional window on the side on the first story and indirect light from the window on the second story hallway, staff finds that the proposed house does not cause any significant adverse solar impacts to the adjacent property. Furthermore, the owner of 390 Biscayne Avenue has not expressed any concerns related to solar impacts.

NEIGHBOR NOTIFICATION

A notice of the September 20, 2018 Planning Commission Public Hearing was mailed to adjacent property owners within a 300’ mailing radius, published in the Islander, the City website and Public Posting Places. To date, staff has not received any comments.
ALDEN CROSSING HOA APPROVAL

The Alden Crossing HOA has reviewed and approved the lot split and the design of the new house in a letter dated December 10, 2017.

STAFF COMMENTS/RECOMMENDATION

Lot Split (RS-16-002)

The proposed Lot Split of an existing 10,394 sq. ft. lot in the Alden Crossing Planned Development into two (2) lots of 5,249 sq. ft. and 5,145 sq. ft. each is compatible with some of the existing lot sizes in Alden Crossing. Existing lot sizes in Alden Crossing range from 4,900 sq. ft. to 10,394 sq. ft. with the average lot size being 6,000 sq. ft. The subject site at 390 Biscayne Avenue is one of the largest lots in the Alden Crossing Development with 10,394 sq. ft. Housing unit sizes range from 2,140 sq. ft. to 2,625 sq. ft. with lot coverages ranging between 34 to 45%. Although the proposed lot sizes are smaller when compared to the average lot size in Alden Crossing, it is consistent with the two smaller lots in the Alden Crossing Development that are less than 5,000 sq. ft.

Design of the New House (AR-16-057)

The original Use Permit approved three (3) plan types for Alden Crossing (Plan 1, Plan 2 and Plan 3). Each of the Plan Types were approved with two elevation options (Options A and B). The design of the houses reflects the New England Style architecture. Full horizontal lapboard siding, wood trimmed aluminum windows with decorative wood shutters, louvered vents, asphalt composition or wood shake roofs with chimney on one end, double dormers, bay or box windows and decorative wood pot shelves below the front windows are some of the typical design characteristics of houses in Alden Crossing.

The existing single family house at 390 Biscayne was built per Plan 2 of the approved plans with a side-facing three-car garage. The proposed house on the new lot attempts to mimic Plan Type 3 with a two-car garage. Plan Type 3 was approved with two options for the elevations Option A and Option B. Staff has observed that most houses on corner lots within Alden Crossing were built according to Plan Type 3 per Option A or Option B.

As noted previously, the applicant has made some changes to the design based on comments received at the January 18, 2018 Study Session meeting. The proposed square footage of 2,534 (excluding the garage) is compatible with the 2,625 square footage of Plan Type 3. The proposed building height of 24'-6" is consistent with the maximum building height of 25'-0" for Plan Type 3.

Although the revised elevations are somewhat consistent with Plan Type 3, Option B presented at the January 18, 2018 meeting, there are some deviations in the revised plans as submitted. Each of the elevations, as revised, are discussed in further detail below.

Front Elevation (west elevation facing Biscayne Avenue)

The front (west) elevation is substantially consistent with Plan Type 3, Option B. The revised garage door design is consistent with the Alden Crossing approved prototype.

Staff recommends approval as proposed.
Right Elevation (south elevation facing Port Royal)

On the right side (south) elevation, facing Port Royal Avenue, the gable (on the shed roof) has been off-centered to the right to allow for the centering of the window under the gable. Previously, the Commission had recommended only that the window be centered and the gable vent eliminated. Staff recommends retaining the previous design that had a larger gable and more in keeping with Option B.

Staff would like Commission feedback on whether the revised design is acceptable or the previous design was more acceptable. Staff will add a Condition of Approval accordingly based on Commission feedback.

The proposed window materials, colors and use of trim is consistent with the approved Alden Crossing Prototype. However, a combination of casement and fixed windows are proposed on the right elevation. This is not consistent with the prototype and/or the Alden Crossing Plan Type 3 Elevation B. Windows styles in Alden Crossing do incorporate fixed windows or Transoms that are rectangular or arched above sliding glass windows and/or doors. However, the fixed window/transoms have a separation and trim around it. The windows as proposed have a mullion separating it from the casement. However, the appearance is that of a single window with trim around it.

Staff recommends that the windows on the south elevation be modified to eliminate the fixed window and/or add a separate fixed/transom window consistent with existing window styles in Alden Crossing. Staff has added Condition of Approval No. 32.

Rear Elevation (east elevation)

On the rear (east) elevation, the gable style has been modified and a more generous gable has been added with a wood louvered arched vent centered on the gable. However, the style of the gable is not consistent with Option B. Although the roof plan shows a standard gable, the elevation shows a solid gable (with an interior rake) and gable vent.

Staff recommends that the gable style be changed to a standard gable (remove the interior rake) to be consistent with Plan Type 3. Staff has added Condition of Approval No. 33 accordingly.

Left Elevation (north elevation)

On the left side (north) elevation, a gable roof has been added to the second story window on the left to give it an appearance of a dormer window. However, the dormer is not a true dormer window and the gable looks out of place. Although true dormer windows are predominant in Alden Crossing, Option B does not have any dormers.

Staff recommends that the gable roof above the second story window be eliminated. Staff has added Condition of Approval No. 34 accordingly.

While staff thinks that the overall size, placement and massing of the new house is compatible with houses in Alden Crossing and compatible with Plan 3, staff would like Commission feedback on the changes made to the design and the recommendations made by staff. The Commission can approve the plans as proposed or with modifications.
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.

INDIVIDUALS, ORGANIZATIONS, AND DOCUMENTS CONSULTED
Arthur Lin, Applicant
Dennis Norton, Architect
City of Foster City General Plan
City of Foster City Zoning Ordinance
City’s adopted Architectural and Solar Guidelines
Solar Impact Policy P-1-2000
Alden Crossing Prototypes
Project Plans & Project File

FINDINGS
Refer to attached Resolution.

CONDITIONS
Refer to Exhibit A attached to Resolutions.

ATTACHMENTS
Resolutions (2) – RS-16-002 including Exhibit A
Resolutions (2) – AR-16-057 including Exhibit A
August 17, 2017 Planning Commission Staff Report (without attachments)
January 18, 2018 Planning Commission Staff Report (without attachments)
Approved Minutes of the January 18, 2018 Planning Commission Meeting
Approved Plan Types for Alden Crossing
Previously Reviewed Plans by the Planning Commission on January 18, 2018 (Floor Plan, Roof Plan and Elevations only)
Vicinity Map
Revised Project Plans and Tentative Map
RESOLUTION NO. P-       -18


CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, on October 27, 2016, the applicant, Dennis Norton, on behalf of the property owner, Distressed Home Solutions, LLC, applied for a Tentative Parcel Map and an Architectural Review permit for an existing lot located at 390 Biscayne Avenue in the Alden Crossing development; and

WHEREAS, the Tentative Parcel Map request for the project consists of dividing an existing 10,394 sq. ft. lot at 390 Biscayne Avenue into two (2) lots of 5,249 square feet and 5,145 square feet each; and

WHEREAS, the proposal has been determined to be categorically exempt from the California Environmental Quality Act of 1970 under Class 15, Minor Land divisions, which consists of the division of property into four or fewer parcels when the division is in conformance with the General Plan and Zoning and all required services and access to the proposed parcels to local standards are available; and

WHEREAS, the plans for the proposed project including the lot split were reviewed at three (3) Planning Commission Study Sessions on October 15, 2013, August 17, 2017 and January 18, 2018, all of which were open to the public and duly noticed, and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration of the Tentative Map Request at the Planning Commission Regular Meeting of September 20, 2018 and on said date the Public Hearing was opened, held and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the facts and analysis in the Staff Report, written and oral testimony, and exhibits presented finds:

A. The proposed subdivision of 390 Biscayne Avenue, together with the provisions for its design and improvement, would be consistent with the Foster City General Plan, Title 16 (Subdivisions), Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code because: 1) the proposed land use is the same as the existing Single-Family Residential and therefore, is consistent with the land use designation in the General Plan for the site; 2) the proposed subdivision will result in one additional housing unit within the Alden Crossing Planned Development for a total of 93 units, the total density would be 5.5 units per acre which is within the allowable density established in the General Plan as well as the originally establish Master DA for the site; and 3) the new lot would be consistent with the R-1/PD (Single Family Residential/Planned Development) zoning district for the site in that it meets the lot size, lot width, lot coverage etc. established under the R-1/PD standards for Alden Crossing; and

B. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (c) and (d) of the California Government Code, that the site of the proposed subdivision is physically
suitable for the type and proposed density of development because the property was previously developed and has all necessary aces and utilities provided; and

C. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (e) and (f) of the California Government Code, that the design of the subdivision and its improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or to cause serious public health problems because the site of the proposed subdivision was previously developed with a single family house and contains no significant wildlife habitat or any potential health hazards; and

D. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (g) of the California Government Code, that the design of the subdivision and its improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision because existing easements are adjusted to accommodate the proposed new house; and

E. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474.6 of the California Government Code, that the waste discharge from the proposed subdivision into the existing community sewer system will not result in violation of the existing requirements prescribed by the San Francisco Bay Regional Water Quality Control Board because the existing sewer system has adequate capacity to handle the waster discharge; and

F. Based on the above findings, the City has concluded that the proposed Tentative Map is in conformity with the provisions of law and Title 16, Subdivisions, of the Foster City Municipal Code.
BE IT FURTHER RESOLVED that the Planning Commission approves RS-16-002, subject to the conditions contained in Exhibit A attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

_________________________________
DAN DYCKMAN, CHAIRMAN

ATTEST:

_________________________________
CURTIS BANKS, SECRETARY
Exhibit A
Lands of Lin Tentative Map Conditions of Approval

(Conditions attached to approval of RS-16-002 by the Planning Commission on September 20, 2018)

1.0 GENERAL

2.0 STREET IMPROVEMENTS

3.0 SANITARY SEWER SYSTEM

4.0 STORMWATER SYSTEM

5.0 WATER SYSTEM

6.0 OTHER UTILITIES

7.0 LANDSCAPING

8.0 BICYCLE TRAIL/PEDESTRIAN WALKWAYS

9.0 BUS SYSTEM ACCOMODATION

10.0 EASEMENTS/DEDICATIONS

11.0 PUBLIC SAFETY

12.0 BONDING FEES

13.0 LAGOON/WATER AREAS

14.0 CONSTRUCTION PRACTICES
1.0 GENERAL

1.1 The following conditions shall be met prior to the issuance of a building permit except as otherwise specified. Any questions pertaining to these conditions should be directed to the City department indicated. (BD = Building Inspection Division, CBO = Chief Building Official, CC = City Council, CDA = Community Development Agency, CDD = Community Development Director, CE = City Engineer, E/PW = Engineering/Public Works, FIRE = Fire, P/R = Parks and Recreation, PC = Planning Commission and POL = Police). Other abbreviations used are as follows: N/A = not applicable; PBI = prior to building permit issuance; PBO = prior to building occupancy; PI = prior to installation; PCW = prior to commencement of work; PFM = prior to approval of Final Map; PFBI = prior to final building inspection; and PTO = prior to occupancy.

1.2 The project shall be built in substantial compliance with the Tentative Map approved by the Planning Commission on September 20, 2018 labeled Lands of Lin, prepared by LC Engineering, and dated stamped and received by the Foster City Planning/Code Enforcement Division on September 13, 2018. Any modification to the project shall require Planning Commission or Community Development Director or City Engineer review and approval. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval. The construction or placement of unapproved features or unapproved changes which were a part of approved plans can and will result in the issuance of a “Stop Work Order” by the City, the need to revise plans and obtain City approval for all changes prior to recommending work, and the possibility of penalty fees being assessed for unauthorized work.

1.2.1 The project approval shall expire on September 20, 2020. No extensions of the Use Permit shall be considered or granted except that Use Permits issued in conjunction with a Tentative Subdivision Map for a planned unit development shall expire no sooner than the approved Tentative Map, or any extension thereof, whichever occurs later (Municipal Code Section 17.06.180). (CDD)

1.3 Upon approval of this Tentative Map, the conditions of approval herein listed shall be attached as the last sheet of the Tentative Map. (CDD)

1.4 N/A

1.5 Prior to issuance of a building permit, the applicant shall prepare improvement plans for the construction of all public and private improvements in accordance with the latest City Standard Drawings and Specifications. Should the applicant propose the use of development and/or construction standards for any improvements and/or land uses which are different than those presently set forth in the City’s Codes and Ordinances, Standard Specifications and Standard Plans, such standards must be presented to and approved by the City. The
applicant shall cause Standard Drawings to be prepared in a format to be approved by the Engineering Division.
(E/PW, PFM)

1.6 The applicant shall have a Final Map prepared by a registered engineer or licensed land surveyor delineating all parcels and easements created. There shall be concurrence in writing by PG & E, Pacific Telephone, Cable TV and any other affected public utilities and agencies to all improvements and easements which are applicable to them. The number and locations of monuments shall be as required by the Engineering Division.
(E/PW)

1.7 Prior to Final Map approval, the applicant shall enter into a subdivision agreement with the City/District. To be included are the costs of all engineering, surveying and inspections at cost plus overhead.
(E/PW, PFM)

1.8 N/A

1.9 N/A

1.10 N/A

1.11 N/A

1.12 Prior to Final Map approval, all pertinent conditions of approval shall be completed to the satisfaction of the City and so reported on the sign-off sheet in the Tentative Map file.
(CDD, PFM)

1.13 Prior to Final Map approval, the City shall be provided with AutoCAD (latest version) compatible files (DXF or DWG) for all computer generated mapping, construction plans and graphic information related to this project.
(E/PW, PFM)

1.14 N/A

1.14.1.1 Prior to the issuance of any site-specific grading or building permits, a design-level geotechnical investigation, in compliance with Foster City guidelines, shall be prepared and submitted to the City Engineer. The report shall determine the proposed project’s surface geotechnical conditions and address potential seismic hazards such as liquefaction and subsidence. The report shall identify construction techniques appropriate to minimize seismic damage. In addition, analysis presented in the geotechnical report shall conform with the California Division of Mines and Geology recommendations presented in the Guidelines for Evaluating Seismic Hazards in California, and all mitigation measures, design criteria, and specifications set forth in the geotechnical and soils reports shall be implemented as a condition of project approval.
(BD, PFM)
1.14.1.2 In locations underlain by Bay Mud and/or non-engineered fill, the designers of proposed improvements (including sidewalks, roads, driveways, parking areas, and utilities) shall consider these conditions. The design-level geotechnical investigation shall include measures to ensure potential damage related to compressible materials or soils and non-uniformly compacted fill are minimized. Mitigation options may range from removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected settlements. All mitigation measures, design criteria, and specifications shall be set forth in the site-specific design-level geotechnical report, and the City of Foster City standards shall be followed to reduce impacts associated with problematic soils to a less-than-significant level. (BD, PFM)

1.14.1.3 In locations underlain by expansive soils the designers and engineers of proposed building foundations and improvements (including piles, sidewalks, roads, driveways, parking areas, and utilities) shall consider the site’s potential to be underlain by soils with high shrink-swell potential. A site-specific design-level geotechnical investigation, prepared by a licensed professional, shall include measures to ensure potential damage related to expansive soils and non-uniformly compacted fill and engineered fill are minimized. Mitigation options may range from removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill to design and construction of improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements. All design criteria and specifications set forth in the design-level geotechnical investigation shall be implemented to reduce impacts associated with problematic soils. (BD, PFM)

1.14.1.4 The design-level geotechnical investigation shall include an evaluation of the potential for corrosive soils on the site. If the results indicate corrosive soil conditions, appropriate measures to mitigate these conditions shall be incorporated into the design of project improvements that may come into contact with site soils. Wherever corrosive soils are found in sufficient concentrations, recommendations shall be made to protect steel and concrete (and any other material that may be placed in the subsurface) from long-term deterioration caused by contact with corrosive onsite soils. In general, these recommendations are expected to include, but not be limited to, the following provisions:

- Protect buried iron, steel, cast iron, ductile iron, galvanized steel, and dielectric coated steel or iron (including all buried metallic pressure piping) against corrosion from soil.
- Protect buried metal and cement structures in contact with earth surfaces from chloride ion concentrations.
• Use sulfate-resistant concrete mix for all concrete in contact with the ground.
• Consult a corrosion expert during the project’s detailed design phase to design the most effective corrosion protection.

1.14.1.5 Prior to excavation or earthworking activities, the applicant shall use reasonable means to determine the presence of soil and/or groundwater contamination associated with fill materials present on-site and potential for aerially-deposited lead in soil in proximity to SR 92. Those reasonable means may consist of soil and/or groundwater sampling, and/or conducting a Phase I ESA (for those areas for which a Phase I ESA has not been prepared) and, if necessary, a Phase II ESA in accordance with the most recent ASTM International Standard. A qualified environmental professional (e.g., Professional Geologist, Professional Engineer) shall complete these investigations with oversight from a regulatory agency (e.g., SMCEHD). Where the results of the studies indicate that soil and/or groundwater contamination is present, any necessary remediation shall be conducted. The findings of the investigation(s) shall be documented in a written report and shall be submitted to the regulatory oversight agency and the City.

1.15 Prior to Final Map approval, the applicant shall provide an Outdoor Water Use Efficiency Checklist pursuant to Chapter 8.80 of the EMID Code.

1.16 Prior to placement of any construction trailers, the applicant shall submit a site plan showing placement of the construction trailers and shall agree to abide by all conditions of approval required by the Community Development Director.

1.17 Before commencing any work in the City's right-of-way, the applicant shall obtain an encroachment permit, posting the required bonds and insurance.

1.18 Subsequent to issuance of a grading permit by the Building Inspection Division and prior to commencement of any work pertaining to on-site drainage facilities, grading, or paving, or any work in the City's right-of-way, the applicant shall notify the Engineering Division at least twenty-four (24) hours in advance.

2.0 STREET IMPROVEMENTS

2.1 Prior to Final Map approval, the improvement plans shall include the design of all new public improvements serving the project. The design and construction shall be undertaken to the lines and grades and in a manner satisfactory to the City Engineer. All street improvements shall be constructed to the City's standards to the satisfaction of the Engineering Division. The timing of the improvements will be determined by the City/District. The improvement plans shall include...
reconstruction of pedestrian curb ramps at the corners of the intersection with a
tighter curb radius. Driveway locations shall be situated at the furthest end of the
property lines away from the intersection.

(E/PW, PFM)

2.2 Prior to issuance of a Final Map approval, improvement plans shall include
underground utilities.

(E/PW)

2.3 In addition to the above items, the following street construction items shall be
accomplished to the satisfaction of and as directed by the Engineering Division
and the Parks and Recreation Department:

- clearing and grubbing
- curb ramps
- driveways
- street signs - directional, information and traffic
- street monuments
- striping
- facilities for channeling, merging, stacking, turning and controlling traffic
- barricades and miscellaneous items
- modifications and/or relocation of existing facilities to accommodate the new
construction
- landscaping, including sprinkler and irrigation facilities together with
appurtenances to any or all of the above.

(E/PW, P/R)

2.4 N/A

3.0 SANITARY SEWER SYSTEM

3.1 N/A

3.2 Prior to Final Map approval, the improvement plans shall include the design of a
sewerage collection system. All sanitary sewer improvements shall be
constructed and maintained by the Homeowners Association to the satisfaction
of the Engineering Division. In the event maintenance is not adequate and a
sewage spill occurs, the Homeowners' Association shall reimburse the
City/District for any costs including any fees and/or penalties assessed to the
City/District by the Regional Water Quality Control Board or any other regulatory
agency. These responsibilities shall be reflected in the Conditions, Covenants
and Restrictions (CC&Rs). Information regarding all ownership and maintenance
responsibilities of the Homeowners Association regarding sewers shall be shown
on the Tentative Map.

(E/PW, PFM)

3.3 Collection system - items of construction should include at least the following:

3.3.1 N/A

3.3.2 N/A
3.3.3 N/A

3.3.4 N/A

3.3.5 Cleanouts.

3.3.6 Wye branches and laterals.

3.3.7 And together with appurtenances to any or all of the above.
   (E/PW)

3.4 Each project building shall include sewer inspection cleanouts at accessible outside locations to allow for wastewater sampling.
   (E/PW)

3.5 N/A

3.6 The applicant shall prepare pre-construction and post-construction CCTV survey reports on the existing wastewater collection system and force mains, to be submitted to the Foster City Public Works Department for review.
   (E/PW, PFM)

4.0 STORM SEWER SYSTEM

4.1 Prior to Final Map approval, the improvement plans shall include the design for a storm sewer collection system generally as shown on the Tentative Map. All storm sewer improvements shall be constructed to the satisfaction of the Engineering Division. Ownership and maintenance responsibilities shall remain with the Homeowners Association. In the event maintenance is not adequate or discharges into the storm drainage system violate the Discharge Permit regulations the Homeowners’ Associations shall reimburse the City/District for any costs incurred including any fees and/or penalties assessed to the City/District by the regulatory agencies. This shall be shown on the Tentative Map.
   (E/PW, PFM)

4.2 Collection System

4.2.1 N/A

4.2.2 N/A

4.2.3 Items of construction shall include at least the following:
   - surface and subsurface storm drain facilities;
   - manholes with manhole frames and covers;
   - catch basins and laterals;
   - construct all catch basins as silt detention basins;
   - And together with appurtenances, to any or all of the above.
   (E/PW, PFM)
4.3 Prior to Final Map approval, the plans shall demonstrate compliance with the San Mateo Countywide Water Pollution Prevention Program, (see http://flowstobay.org/bs_new_development.php) including, but not limited to, submittal of checklists related to impervious surface and stormwater:

4.3.1 C.3 and C.6 Data Collection Form
4.3.2 Project Applicant Checklist for NPDES Permit Requirements
4.3.3 Stormwater Requirements Checklist
(CDD, BD, E/PW, PFM)

4.4 Prior to Final Map approval, the Construction Best Management Practices (BMPs) related to stormwater prevention shall be included as notes on the improvement plan drawings (see http://www.fostercity.org/Services/permits/List-of-Forms.cfm).
(BD, PFM)

4.5 All storm drain lines and related storm drainage appurtenances located both within the property boundaries of the development site and associated offsite private easements shall be privately owned and maintained. Prior to Final Map approval, the applicants shall submit to the City Engineer evidence of easements granted for offsite storm drainage facilities. Said easements shall provide the applicants the right at any time, or from time to time, to construct, maintain, operate, replace, remove, and renew all offsite storm drainage facilities, and appurtenant structures in, upon, over and across such easements.
(E/PW, PFM)

4.6 N/A

4.7 N/A

4.8 N/A

4.9 Prior to final inspection, the property owner shall submit a Maintenance Agreement for Stormwater Treatment Measures and Hydromodification Management Controls, including a Maintenance Plan pertinent to the type(s) of measures included in the project, pursuant to the San Mateo Countywide Water Pollution Prevention Program (http://flowstobay.org/bs_new_development.php). Following review and approval by City staff, the property owner shall have the Maintenance Agreement recorded prior to building occupancy approval.
(BD, CDD, E/PW, PFBI)

4.10 Prior to final inspection, the C.3 and C.6 Project Closeout Form shall be completed by City staff and placed in the project file.
(CDD, PBO)

4.11 The property owner shall be responsible for conducting all servicing and maintenance as described and required by the approved Maintenance Plan(s). Maintenance of all site design and treatment control measures shall be the owner’s responsibility.
(E/PW)

4.12 Site access shall be granted to representatives of the City, the San Mateo County Mosquito and Vector Control District, and the Water Board, at any time,
for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement and/or CC&Rs for the property.

(E/PW)

4.13 The applicant/property owners/tenants shall control accumulations of petroleum wastes and other pollutants in the streets and parking areas by frequent sweeping.

(CDD)

4.14 N/A

4.15 The applicant shall fully comply with the San Mateo Countywide Water Pollution Prevention Program which maintains compliance with the NPDES Stormwater Discharge Permit. Responsibilities include, but are not limited to, designing Best Management Practices (BMPs) into the project features and operation to reduce potential impacts to surface water quality associated with operation of the project. These features shall be included in the project drainage plan and final development drawings. Specifically, the final design shall include measures designed to mitigate potential water quality degradation of runoff from all portions of the completed development.

All requirements of the San Mateo Countywide Water Pollution Prevention Program (previously called the San Mateo Water Pollution Prevention Program - Part C. 3, and as outlined in the San Mateo County Stormwater Handbook shall be incorporated into the final design to the maximum extent practicable as approved by the Public Works Department. The final design team for the development project shall also review and incorporate as many concepts as practicable from Start at the Source, Design Guidance Manual for Stormwater Quality Protection. Passive, low-maintenance BMPs (e.g., grassy swales, porous pavements) are preferred in all areas. Higher-maintenance BMPs may only be used if the development of at-grade treatment systems is not possible, or would not adequately treat runoff. Funding for long-term maintenance of all BMPs must be specified (as the City will not assume maintenance responsibilities for these features). The applicant shall establish a self-perpetuating drainage system maintenance program (to be managed by a business and/or homeowners association or similar entity) that includes annual inspections of any stormwater detention devices (if any), and drainage inlets. Any accumulation of sediment or other debris would need to be promptly removed. In addition, an annual report documenting the inspection and any remedial action conducted shall be submitted to the City of Foster City Public Works Department and/or Building Inspection Division for review.

The City of Foster City Public Works Department and/or Building Inspection Division shall ensure that the SWPPP and drainage plan are prepared and are adequate prior to approval of the grading plan.

(E/PW, BD, PFM)

4.16 N/A
5.0 WATER SYSTEM

5.1 Prior to Final Map approval, the improvement plans shall include the design of a domestic water system to the satisfaction of the Engineering Division. The water system improvements shall be constructed within public easements or street rights-of-way to the satisfaction of the Engineering Division and dedicated to the City. City ownership and maintenance responsibilities shall extend to, and include, the water meters.

(E/PW, PFM)

5.2 Distribution System

5.2.1 Water lines shall be designed for fire flows to meet California Fire Code, Fire Department and Engineering Division requirements.

5.2.2 Items of construction shall include at least the following:
- backflow prevention devices;
- water mains - minimum main size is 8 in. in any area. (Fire flow determined for buildings/areas per "The Guide for Determining Required Fire Flow; Insurance Services Office Municipal Survey Service");
- valves;
- tees;
- fittings;
- hydrants;
- meters;
- services;
- and together with appurtenances to any or all of the above;
- all water mains serving fire hydrants, shall be a minimum of 8" in diameter.

(E/PW, FIRE)

5.2.3 All City/District-owned water systems and on-site water mains shall be looped and meet the requirements of the State Department of Health Services and the City Fire Marshal.

5.2.4 All backflow prevention assembly devices that tie into the domestic water supply must be “lead free” “LF” devices per the California Health and Safety Code (CA H&SC) and installed in accordance to USC specifications.

(BD, E/PW, FIRE, CDD, PBP)

5.3 Prior to Final Map approval, fire mains shall be designed to Fire Department specifications. Fire mains shall be constructed according to those specifications.

(FIRE, PFM)

5.4 Prior to Final Map approval, the applicant shall indicate on-site hydrants, blue reflective pavement markers and mains at locations approved by the Fire Department. Hydrants shall be City owned and shall meet the following requirements:
- Fire hydrants shall be installed not more than 250 ft. apart; in some instances distances may be less and must meet Foster City Fire Department requirements.

- All new fire hydrants or replacement of existing hydrants shall conform with current E/PW standards.

- All hydrants must be identified by reflective blue markers on street pavement. Placement shall conform with current E/PW standards.

5.5 Prior to Final Map approval, should the City/District determine that additional water storage capacity is required, the applicant shall pay a share of any necessary improvement costs. The timing and amount of payment (developer’s proportionate share may be based on City-wide usage) shall be determined by the City/District.

5.6 N/A

5.7 Prior to the issuance of a building permit, the applicant shall submit a request for all required water meters, including payment for the meters. The applicant shall provide calculations supporting the size and type of the meters. The size and type of the meter are subject to approval by the City/District Engineer. In addition, sub-meters shall be provided for each individual dwelling unit. The required water meters shall be installed prior to occupancy.

5.8 N/A

5.9 The developer shall be responsible for the cost of water line inspection ports, as determined by the City Engineer.

6.0 OTHER UTILITIES

6.1 Prior to Final Map approval, the improvement plans shall include the design required to underground all electric, cable TV, gas, and communication lines within the development. Such design and construction shall be to the satisfaction of the affected utilities and the Engineering Division.

6.2 All utilities within the development shall be underground and shall be constructed in dedicated streets or rights-of-way. They shall include at least the following:

- underground power distribution and service facilities;
- underground communication transmission and service facilities, including Cable TV service to the development;
- underground gas transmission and service lines.
6.3 Prior to commencement of work, as required by California Government Code 4216, Underground Service Alert shall be contacted by the contractor to provide information on the location of underground utilities prior to earth work activities at the site.

(E/PW, PCW)

7.0 **LANDSCAPING**

7.1 Prior to Final Map approval, the landscape and irrigation plans shall include:

7.1.1 A planting plan neatly and accurately drawn to scale, indicating types, quantities, locations and sizes of all plant material including existing major vegetation designated to remain and street trees, method of protecting planting areas from vehicular traffic, and planting areas to be irrigated on separate valves shall be submitted for Planning staff review and approval.

(CDD, PFM)

7.1.2 The planting plans shall show that the applicant will install and maintain landscaping in the unpaved areas within the public right-of-way abutting the development to the satisfaction of the Planning/Code Enforcement Division.

(CDD, PFM)

7.1.3 The plans shall show that all trees planted closer than four (4) ft. from any public or private walkway, driveway or major structure shall be shielded with root barriers that are designed to the satisfaction of the Parks and Recreation Department.

(P/R, PBO)

7.1.4 The location of backflow prevention devices for the irrigation system in areas which are not noticeable from view and shall be adequately screened with planting material. Method of screening shall be approved by Planning staff prior to issuance of a building permit. Backflow prevention devices shall be consistent with the most recent list of approved devices maintained by the County Department of Health.

(P/R, CDD, BD, E/PW, PFM)

7.1.5 Landscape plans shall show all planting areas shall be protected from common vehicular traffic by the provision of a 6-inch high concrete curb. Rolled curbs are not acceptable.

(P/R, PFM)

7.1.6 Landscape and irrigation plans shall comply with Chapter 8.8 of the EMID Code regarding Outdoor Water Conservation.

(BD, PFM)

7.2 Prior to Final Map approval, the applicant shall submit:

7.2.1 N/A
7.2.2 Documentation describing the existing soil conditions, proposed grading, and soil preparation as they relate to providing a compatible growing medium for the selected plant material.
(P/R, CDD, PFM)

7.2.2 Documentation showing compliance with Chapter 8.8 of the EMID Code, including, but not limited to submittal of the Outdoor Water Use Efficiency Checklist.
(E/PW, CDD, PFM)

7.3 At initial planting, all trees shall be a minimum of 15 gallons or larger and shall not be planted until they are inspected for size by the City. At least fifteen percent (15%) of the total number of trees approved as a part of the Landscape Plan shall be 24 inch or larger specimen trees to be planted along public rights-of-way or other locations as determined in the field by the Community Development Director. As and when trees are replaced they will be replaced by trees of the same species which shall be a minimum of 15 gallons or larger and shall not be planted until they are inspected for size by the City. Only specimen size trees shall replace specimen size trees.
(CDD, Prior to planting)

7.4 Additional plant materials may be required by the Community Development Director and shall be planted prior to final occupancy in order to screen utility connections, valves, backflow devices, and all above ground appurtenances, etc. to the satisfaction of the Community Development Director. This determination shall be made in the field after all screen utility connections, valves, backflow devices, and all above ground appurtenances, etc. have been installed and inspected
(CDD, Prior to planting)

7.5 Upon occupancy of the project building(s) constructed as part of this Use Permit, the applicant shall be responsible for maintaining all common areas landscaping in a healthy and vigorous condition. All landscape plant material and all hardscape and project amenities shall be maintained as originally approved by the City. Modification of plant material other than routine pruning or maintenance shall require approval of the City. The integrity of the original landscape plan shall at all times be kept intact.
(CDD)

7.6 The applicant or its assigns shall maintain the landscaping in all of the public rights-of-way abutting the development in accordance with all approved Plans for the development and all applicable City of Foster City/Estero Municipal Improvement District ordinances.
(CDD)

7.7 N/A

8.0 BICYCLE TRAIL/PEDESTRIAN WALKWAYS

8.1 N/A
8.2 N/A

8.3 It shall be the responsibility of the property owner and/or future homeowners associations to maintain all sidewalks and bike paths as constructed.
(E/PW, PFM)

9.0 N/A

10.0 EASEMENTS/DEDICATIONS

10.1 Prior to the agendizing of the Final Map, the applicant shall provide written evidence that all appropriate agencies have been satisfied with regard to all necessary easements/rights-of-way, including but not limited to abandonment of the existing easements, providing for additional width of existing easements/rights-of-way and providing for new easements/rights-of-way to the satisfaction of the Engineering Division.
(E/PW, PFM)

10.2 Prior to the agendizing of the Final Map, the applicant shall provide suitable guarantees of reciprocal easements and/or dedications as appropriate, for parking, drainage, egress/ingress and utilities, to the satisfaction of the Engineering Division.
(E/PW, PFM)

10.3 Upon recordation of the Final Map, all dedications of easements, rights-of-way, and other parcels shall be made effective.
(E/PW, PFM)

10.4 Prior to Final Map approval, emergency access easements when required for any building shall be granted to the City.
(E/PW, PFM)

10.5 N/A

10.6 Prior to Final Map approval, the applicant must provide recorded easements for access by Police, Fire and Public Work vehicles responding to emergencies or maintaining, exercising, flushing or testing emergency equipment including fire hydrants, fire department connections, and any public utilities on the site. Easements must be to the satisfaction of the City/District Engineer and the Fire Marshal.
(E/PW, PFM)

11.0 N/A

12.0 BONDING/FEES

12.1 Prior to agendizing the Final Map, all bonds and fees shall be received by the City/District.
(E/PW, PFM)
12.2 Prior to Final Map approval, for all public improvements that are a part of the Final Map to be recorded, the applicant shall supply suitable securities acceptable to the City in the amount of 100% (performance), 100% (labor and material) and a 50% (warranty) one-year bond of all improvements related to public utilities and public streets. Applicant shall provide two (2) copies of documents verifying the cost of the public improvements to the satisfaction of the Engineering Division. 
(E/PW, PFM)

12.3 Prior to Final Map approval, for all private site improvements, the applicant shall provide suitable security acceptable to the City in the amount of 100% (performance), 100% (labor and material) and 50% (one-year warranty) bond. The applicant shall provide two (2) copies of documents verifying the cost of the private improvements to the satisfaction of the Engineering Division. 
(E/PW, PFM)

12.4 Prior to final building inspection, the applicant shall either complete all landscaping or shall provide appropriate security, acceptable to the City, in the amount of 100% (performance), 100% (labor and material), 50% (maintenance) of all landscaping installation and maintenance costs guaranteeing the installation of landscaping and related site improvements and maintenance costs for the 12-month period following installation and acceptance. Applicant shall provide two copies of a document verifying the cost of both landscape installation and landscape maintenance for 12 months (one copy to the Engineering Division and one copy to the Parks and Recreation Department). 
(E/PW, PFM, BP, CDD, PFBI)

12.5 Prior to agendizing the Final Map, the applicant shall pay the City for the cost of all engineering review, planning review and inspection provided by City staff required. The City/District staff is a reviewing service and construction inspection service only. All other work shall be included in the design and construction contracts. Final Map fees and deposits to pay costs involved for inspection, testing and contract administration shall be received by the City/District. 
(CDD, E/PW, PFM)

12.6 Prior to agendizing the final map, a deposit is required to cover incurred costs of all plan checking and administration for the proposed project by the Public Works Department. Prior to or at the time of submittal of design drawings for review, an itemized estimate of the cost of construction of all public improvements must be submitted for review and approval. The approved estimate will be used for determining the amount required for plan checking. The deposit amount required for plan checking is 3 percent of the estimated cost for the public improvements, or $5,000, whichever is greater. The deposit must be renewed upon demand, to maintain a minimum balance of $1,000. All costs of plan checking and administration by the Public Works Department will be charged against this deposit. At any time that the deposit is depleted below a balance of $1,000, plan checking will stop until the balance has been renewed to above $1,000. The unused balance of the deposit will be returned to the applicant upon completion of the work. 
(E/PW, PFM)
12.7 Prior to agendizing the final map, an additional deposit is required to cover incurred costs of inspection and administration by the Public Works Department. The deposit amount required is 3 percent of the approved estimated cost for construction of the public improvements, or $5,000, whichever is greater. The deposit must be renewed upon demand, to maintain a minimum balance of $1,000. All costs of construction inspection and administration by the Public Works Department will be charged against this deposit. At any time that the deposit is depleted below a balance of $1,000, inspection will stop until the balance has been renewed to above $1,000. The unused balance of the deposit will be returned to the applicant upon completion of the work.

(E/PW, PFM)

13.0 N/A

14.0 CONSTRUCTION PRACTICES

14.1 N/A

14.2 Prior to Final Map approval, the current Best Management Practices for new construction as outlined by the San Mateo County Stormwater Pollution Prevention Program shall be included on plan sheets.

(E/PW)

14.3 Prior to Final Map approval, an erosion control plan, submitted in writing, which indicates the intent and guarantees that silt and run-off will remain on site, shall be prepared to the satisfaction of the Engineering Division

(E/PW, PBP)

14.4 Prior to issuance of a building permit, the applicant shall develop an earth movement and management program under the supervision of a licensed soils engineer for review and approval by the Engineering Division. At the completion of construction, any excess usable fill material not needed for an overall earthwork program within the project area shall be given to the City.

(E/PW, PBP)

14.5 Prior to Final Map approval, in order to assure public safety and minimize the unattractive short term aspects of construction on the neighborhood, plans shall include site control information which, at a minimum: 1) Provides that a 6 (six) foot tall chain-link fence (no portion of which contains barbed wire) with a dark green (or other color approved by the Community Development Director) vinyl or canvas interior liner placed on the exterior of the fence shall be placed around any yard or any portion of a yard which the Chief Building Official shall identify as requiring such.

(BD, PBP)

14.6 Prior to Final Map approval or the commencement of any site work, the general contractor shall:

a) Acknowledge in writing that they have read and understand the project conditions of approval, particularly those pertaining to construction practices and site safety, and will make certain that all project sub-contractors have read and
understand them prior to commencing work and that a copy of the project conditions of approval will be posted on site at all times during construction. (CDD, CBO, PBP)

14.7 Prior to commencement of any site work or the introduction of any earth moving equipment or building materials onto the site, the applicant shall insure that a temporary fence constructed of materials and located to the satisfaction of the Chief Building Official has been constructed. This fence shall be in place as approved until the Chief Building Official shall allow it to be removed or changed. The fence may only be expanded or contracted in size upon approval of the Chief Building Official. Failure to adhere to this condition of approval shall result in the permit being brought to the Planning Commission for its review and introduction of stricter site and building construction regulations. (CBO, CDD, PCW)

14.8 All required fencing shall be in place prior to the commencement of any work on site, shall remain in place for such time as required by the Chief Building Official and shall be removed prior to final inspection. The gate to the fence shall be locked at all times that the fenced area is left unattended by either the owner or resident, the contractor or subcontractors. All construction materials and equipment, including temporary or portable equipment, such as generators, storage containers or facilities, shall be stored within the interior of the fenced area when construction activities are not occurring. If placed anywhere on site, portable toilets shall be placed within the interior of the fenced area at all times. (BD, PCW)

14.9 Before commencing any work in the City’s right-of-way, the applicant shall obtain an encroachment permit, posting the required bonds and insurance. (E/PW, PCW)

14.10 Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays unless deviations from this schedule are approved in advance by the City. Nonconstruction activities may take place between the hours of 7 a.m. and 8 a.m. on weekdays and 9 a.m. and 4 p.m. on Saturdays but must be limited to quiet activities and shall not include the use of engine-driven machinery. No actual construction activities may take place between 7 a.m. and 8 a.m., except when post-tension slab foundations are being poured, the concrete pumper may be set up but no concrete may be poured. Forklifts shall be allowed to operate onsite between the hours of 5 p.m. and 6:30 p.m. on weekdays. The Planning Commission reserves the right to rescind this condition and further restrict construction activities in the event that the public health, safety and welfare are not protected due to noise levels emanating from the construction project. (PC, BD, CDD)

14.11 In order to minimize construction noise impacts, all engine-driven construction vehicles, equipment and pneumatic tools shall be required to use effective intake and exhaust mufflers; equipment shall be properly adjusted and maintained; all construction equipment shall be equipped with mufflers in accordance with OSHA standards. (BD)
14.11.1 N/A

14.11.2 The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

   (BD)

14.11.3 The construction contractor shall locate equipment staging in areas that will create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

   (BD)

14.11.4 Construction noise levels shall not exceed the interior noise level of 50 dBA $L_{eq}$ (hourly average) or the maximum noise level of 70 dBA $L_{max}$ within occupied noise sensitive land uses.

   (BD, PBP)

14.12 The following controls shall be implemented at all construction sites within the project to control dust production and fugitive dust.

   - Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing sensitive land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers to control dust;
   - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
   - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;
   - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; and
   - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
   - Blowing dust shall be reduced by timing construction activities so that paving and building construction begin as soon as possible after completion of grading, and by landscaping disturbed soils as soon as possible.
   - Water trucks shall be present and in use at the construction site.
   - All portions of the site subject to blowing dust shall be watered as often as deemed necessary by the City in order to insure proper control of blowing dust for the duration of the project.
   - Watering on public streets shall not occur.
   - Streets will be cleaned by street sweepers or by hand as often as deemed necessary by the City Engineer.
   - Watering associated with on-site construction activity shall take place between the hours of 8 a.m. and 7 p.m. and shall include at least one late-afternoon watering to minimize the effects of blowing dust.
   - All public streets and medians soiled or littered due to this construction activity shall be cleaned and swept on a daily basis during the workweek to the satisfaction of the City.
(BD) Mitigation Measure

14.13 The developer's registered Engineer shall notify the City Engineer, in writing, at least 72 hours in advance of all differences between the proposed work and the design indicated on the plans. Any proposed changes shall be subject to the approval of the City before altered work is started. Any approved changes shall be incorporated into the final as-built drawings.
(BD, CDD, E/PW)

14.14 The General Contractor shall provide qualified supervision on the job site at all times during construction.
(BD)

14.15 All work shall conform to the applicable City/District codes. Good housekeeping practices shall be observed at all times during the course of construction. Superintendence of construction shall be diligently performed by a person or persons authorized to do so at all times during working hours. The storing of goods and/or materials on the sidewalk and/or the street will not be allowed unless a special permit is issued by the Engineering Division.
(CDD, E/PW)

14.16 The applicant shall require all contractors to obtain any permits required by the City of San Mateo and/or the City of Foster City for hauling on local streets.

14.17 All vehicles hauling materials to the project site that exceed 12,000 pounds gross weight shall follow established truck route streets to the closest point of the job site unless directed otherwise by the City Engineer.
(E/PW)

14.18 Within sixty (60) days following the completion of the demolition phase of a covered project, and again within sixty (60) days following the completion of the construction phase of a covered project, the contractor shall submit documentation to the Building Inspection Division that demonstrates compliance with Chapter 15.44 of the Foster City Municipal Code. Documentation includes submission of a completed Final Compliance Report with corresponding recycling, salvage, and disposal receipts/tickets from the facilities, to demonstrate where the debris was recycled, salvaged, or disposed.
(BD/PBO)

14.19 All excess fill shall be disposed of in accordance with City requirements. All building debris shall be disposed of outside the City of Foster City, pursuant to Chapter 15.44, Recycling and Salvaging of Construction and Demolition Debris.
(E/PW)
14.20 If paleontological resources are discovered during project activities, all work within 25 feet of the discovery shall be redirected and the Community Development Director immediately notified. A qualified paleontologist shall be contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Paleontological resources include fossil plants and animals, and evidence of past life such as trace fossils and tracks. Ancient marine sediments may contain invertebrate fossils such as snails, clam and oyster shells, sponges, and protozoa; and vertebrate fossils such as fish, whale, and sea lion bones. Fossil vertebrate land animals may include bones of reptiles, birds, and mammals. Paleontological resources also include plant imprints, petrified wood, and animal tracks. Upon completion of the assessment, the paleontologist shall prepare a report documenting the methods and results, and provide recommendations for the treatment of the paleontological resources discovered. This report shall be submitted to the project applicant, the Foster City Community Development Department, and the paleontological curation facility.

Adverse effects to paleontological resources shall be avoided by project activities. If avoidance is not feasible (as determined by the City, in conjunction with the qualified paleontologist), the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, adverse effects on the resources shall be avoided, or such effects shall be mitigated. Mitigation can include, but is not necessarily limited to: excavation of paleontological resources using standard paleontological field methods and procedures; laboratory and technical analyses of recovered materials; production of a report detailing the methods, findings, and significance of recovered fossils; curation of paleontological materials at an appropriate facility (e.g., the University of California Museum of Paleontology) for future research and/or display; an interpretive display of recovered fossils at a local school, museum, or library; and public lectures at local schools on the findings and significance of the site and recovered fossils. The City shall ensure that any mitigation involving excavation of the resource is implemented prior to project construction or actions that could adversely affect the resource. (CDD, BD)

14.21 If deposits of prehistoric or historic archaeological materials are encountered during project activities, all work within 25 feet of the discovery shall be redirected and the Community Development Director immediately notified. A qualified archaeologist shall be contacted to assess the find, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, basalt, or quartzite toolmaking debris; bone tools; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash and charcoal, shellfish remains, faunal bones, and cultural materials); and stone-milling equipment (e.g., mortars, pestels,
handstones). Prehistoric archaeological sites often contain human remains. Historical materials can include wood, stone, concrete, or adobe footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, metal and other refuse.

Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results of the analysis, and provide recommendations for the treatment of the archaeological deposits discovered. The report shall be submitted to the project applicant, the Foster City Community Development Department and the Northwest Information Center. Project personnel shall not collect or move any archaeological materials or human remains. Adverse effects to such deposits shall be avoided by project activities. If avoidance is not feasible (as determined by the City, in conjunction with the qualified archaeologist), the archaeological deposits shall be evaluated for their eligibility for listing in the California Register. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, avoidance of project impacts on the deposit shall be the preferred mitigation. If adverse effects on the deposits cannot be avoided, such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see CEQA Guidelines Section 15126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; production of a brochure for public distribution that discusses the significance of the archaeological deposit; an interpretive display of recovered archaeological material at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The City shall ensure that any mitigation involving excavation of the deposit is implemented prior to the resumption of actions that could adversely affect the deposit.

(CDD, BD)

14.22 If human remains are encountered, work within 25 feet of the discovery shall be redirected and the County Coroner and the Community Development Director immediately notified. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. The project applicant shall also be notified. Project personnel shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the Coroner shall notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Upon completion of the assessment, the archaeologist shall prepare a report documenting the methods and results and provide recommendations for the treatment of the human remains.
and any associated cultural materials, as appropriate and in coordination with the recommendations of the MLD. The project sponsor shall comply with these recommendations. The report shall be submitted to the project applicant, the Foster City Community Development Department, the MLD, and the Northwest Information Center.

(CDD, BD)

14.23 If the presence of hazardous materials is found on site, site remediation may be required by the applicable state or local regulatory agencies. Specific remedies would depend on the extent and magnitude of contamination and requirements of the regulatory agency(ies). Under the direction of the regulatory agency(ies) and the City, a Site Remediation Plan shall be prepared, as required, by the applicant. The Plan shall: 1) specify measures to be taken to protect workers and the public from exposure to the potential hazards and, 2) certify that the proposed remediation would protect the public health in accordance with local, state, and federal requirements, considering the land use proposed. Excavation and earthworking activities associated with the proposed project shall not proceed until the Site Remediation Plan has been reviewed and approved by the regulatory oversight agency and is on file with the City.

(E/PW, BD, PBP)

14.24 Where any activity would be performed where hazardous materials are known or suspected, the contractor(s) shall prepare a project-specific Health and Safety Plan prior to any project site work. The Plan shall include required worker health and safety provisions for all workers potentially exposed to contaminated materials, identification of hazardous materials present, monitoring to be performed during site activities (as appropriate), required training for workers, identification of appropriate personal protective equipment, and designated personnel responsible for Plan implementation. The Health and Safety Plan shall be filed with the City and regulatory oversight agency (as required).

(FIRE, PBP)

14.25 If previously unknown contaminated soil and/or groundwater is encountered at any time during construction activities (e.g., identified by odor or visual staining, or if any underground storage tanks, abandoned drums, or other hazardous materials or wastes are encountered), the contractor(s) shall ensure that all appropriate response measures are taken to protect human health and the environment. A contingency plan for sampling and analysis of previously unknown hazardous substances shall be prepared by the contractor(s), with the approval of the City, prior to grading and earthwork activities.

As part of this contingency plan, soil and/or groundwater samples shall be collected by a qualified environmental professional (e.g., Professional Geologist, Professional Engineer) prior to further work in the area, as appropriate. The samples shall be submitted for laboratory analysis by a state-certified laboratory under chain-of-custody procedures. The analytical methods shall be selected by the environmental professional
and shall be based on the suspected contamination and consideration of work completed under Mitigation Measure HAZ-2a above. The analytical results of the sampling shall be reviewed by a qualified environmental professional and submitted to the City. The professional shall provide recommendations, as applicable, regarding soil/waste management, worker health and safety training, and regulatory agency notifications, in accordance with local, state, and federal requirements. Work shall not resume in the area(s) affected until these recommendations have been implemented under the oversight of the City or regulatory agency, as appropriate.

14.26 Engineering fill brought on-site shall be demonstrated, by analytical testing, not to pose an unacceptable risk to human health or the environment. Threshold criteria for acceptance of engineered fill shall be selected based on screening levels and protocols developed by regulatory agencies for protection of human health and leaching to groundwater (e.g., Water Board ESLs). The engineered fill shall be characterized by representative sampling in accordance with U.S. EPA’s SW-846 Test Methods, by a qualified environmental professional and demonstrated to meet the threshold criteria above. The results of the sampling and waste characterization shall be submitted by the contractor(s) to the City and SMCEHD prior to construction.

14.27 The contractor shall prepare a Waste Disposal and Hazardous Materials Transportation Plan prior to construction activities where hazardous materials or materials requiring off-site disposal would be generated. The Plan shall include a description of analytical methods for characterizing wastes, handling methods required to minimize the potential for exposure, and shall establish procedures for the safe storage of contaminated materials, stockpiling of soils, and storage of dewatered groundwater. The required disposal method for contaminated materials (including any lead-based paint, asbestos, or other hazardous building materials requiring disposal, see Mitigation Measure 3, below), the approved disposal site, and specific routes used for transport of wastes to and from the project site shall be indicated. The Plan shall be prepared prior to demolition or development activities and submitted to the City. The Waste Disposal and Hazardous Materials Transportation Plan may be prepared as an addendum to the Waste Management Plan required by Ordinance 523.

14.28 Hazardous materials and wastes generated during demolition activities, such as fluorescent light tubes, mercury switches, and PCB wastes, shall be managed and disposed of in accordance with the applicable universal waste and hazardous waste regulations. Federal and state construction worker health and safety regulations shall apply to demolition activities, and any required worker health and safety procedures shall be incorporated into the contractor’s specifications for the project. The disposition of hazardous building material wastes shall also be considered in the preparation of the Waste Management Plan required...
pursuant to the City's Ordinance 523. Documentation of the surveys and abatement activities shall be provided to the City prior to the demolition of structures located at the project site.

(E/PW, BD)

14.29 The contractor(s) shall designate storage areas suitable for material delivery, storage, and waste collection. These locations must be as far away from catch basins, gutters, drainage courses, and water bodies as possible. All hazardous materials and wastes used or generated during project site development activities shall be labeled and stored in accordance with applicable local, state, and federal regulations. In addition, an accurate up-to-date inventory, including Material Safety Data Sheets, shall be maintained on-site to assist emergency response personnel in the event of a hazardous materials incident.

All maintenance and fueling of vehicles and equipment shall be performed in a designated, bermed area, or over a drip pan that will not allow run-off of spills. Vehicles and equipment shall be regularly checked and have leaks repaired promptly at an off-site location. Secondary containment shall be used to catch leaks or spills any time that vehicle or equipment fluids are dispensed, changed, or poured.

(FIRE, PBP)

14.30 Emergency Preparedness and Response Procedures shall be developed by the contractor(s) for emergency notification in the event of an accidental spill or other hazardous materials emergency during project site preparation and development activities. These Procedures shall include evacuation procedures, spill containment procedures, required personal protective equipment, as appropriate, in responding to the emergency. The contractor(s) shall submit these procedures to the City prior to demolition or development activities.

(FIRE)
RESOLUTION NO. P-18

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY
DENYING A TENTATIVE MAP FOR A LOT SPLIT – 390 BISCAYNE AVENUE –
ALDEN CROSSING DEVELOPMENT – DISTRESSED HOME SOLUTIONS, LLC –
APN: 094-950-380 – NEIGHBORHOOD 8 – RS-16-002

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, on October 27, 2016, the applicant, Dennis Norton, on behalf of the
property owner, Distressed Home Solutions, LLC, applied for a Tentative Parcel Map
and an Architectural Review permit for an existing lot located at 390 Biscayne Avenue in
the Alden Crossing development; and

WHEREAS, the Tentative Parcel Map request for the project consists of dividing
an existing 10,394 sq. ft. lot at 390 Biscayne Avenue into two (2) lots of 5,249 square
feet and 5,145 square feet each; and

WHEREAS, the proposal has been determined to be categorically exempt from
the California Environmental Quality Act of 1970 under Class 15, Minor Land divisions,
which consists of the division of property into four or fewer parcels when the division is in
conformance with the General Plan and Zoning and all required services and access to
the proposed parcels to local standards are available; and

WHEREAS, the plans for the proposed project including the lot split were
reviewed at three (3) Planning Commission Study Sessions on October 15, 2013,
August 17, 2017 and January 18, 2018, all of which were open to the public and duly
noticed, and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed
for consideration of the Tentative Map Request at the Planning Commission Regular
Meeting of September 20, 2018 and on said date the Public Hearing was opened, held
and closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based
on the facts and analysis in the Staff Report, written and oral testimony, and exhibits
presented finds:

A. The proposed subdivision of 390 Biscayne Avenue, together with the provisions for
its design and improvement, would not be consistent with the Foster City General
Plan, Title 16 (Subdivisions), Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2
(Administration and Personnel) of the Foster City Municipal Code because:
B. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (c) and (d) of the California Government Code, that the site of the proposed subdivision is not physically suitable for the type and proposed density of development because__________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________.

C. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (e) and (f) of the California Government Code, that the design of the subdivision and its improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or to cause serious public health problems because__________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________.

D. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474 (g) of the California Government Code, that the design of the subdivision and its improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision because__________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________.

E. In reviewing the Tentative Map, the City has concluded, pursuant to Section 66474.6 of the California Government Code, that the waste discharge from the proposed subdivision into the existing community sewer system will result in violation of the existing requirements prescribed by the San Francisco Bay Regional Water Quality Control Board because__________________________________________________________
___________________________________________________________________
___________________________________________________________________
___________________________________________________________________.

F. Based on the above findings, the City has concluded that the proposed Tentative Map is NOT in conformity with the provisions of law and Title 16, Subdivisions, of the Foster City Municipal Code.
BE IT FURTHER RESOLVED that the Planning Commission hereby denies RS-16-002.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

___________________________
DAN DYCKMAN, CHAIRMAN

ATTEST:

_________________________________
CURTIS BANKS, SECRETARY
RESOLUTION NO. P - ___ - 18


CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the property owner has requested Planning Commission approval of an Architectural Review permit to construct a new two-story single family house of 2,959 sq. ft. including the garage located at 390 Biscayne Avenue; and

WHEREAS, although the proposed house does cause some solar impacts to the adjacent property, the impacts have been determined to be not significant pursuant to City adopted Solar Policy P 1-2000; and

WHEREAS, the proposal has been determined by the Community Development Director to be categorically exempt from the California Environmental Quality Act of 1970; and

WHEREAS, the plans for the proposed new house were reviewed at three (3) Planning Commission Study Sessions on October 15, 2013, August 17, 2017 and January 18, 2018, all of which were open to the general public and duly noticed, and

WHEREAS, on May 31, 2018, the applicant submitted revised plans addressing the comments provided at the January 18, 2018 Planning Commission Study Session meeting; and

WHEREAS, on September 5, 2018, the City deemed that the Tentative Map requirements for the proposed Lot Split (RS-16-002) at 390 Biscayne Avenue have been duly fulfilled; and

WHEREAS, a Notice of Public Meeting was duly posted, published, and mailed for consideration of the Architectural Review request at the Planning Commission meeting of September 20, 2018; and

WHEREAS, the Planning Commission did duly consider the proposal at a public meeting on September 20, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the facts and analysis in the Staff Report, written and oral testimony, and exhibits presented finds:

1. The proposal to construct a new house of 1,527 square feet on the first story, a 425 square foot garage and 1,007 square feet second story located at 390 Biscayne Avenue, as conditioned in Exhibit A, would be consistent with the Foster City General Plan, Chapter 17.12 (R-1 Single-Family Residence District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code, because: 1) the building setbacks, building height, coverage and floor area are consistent with other houses in the Alden Crossing Planned Development and the R-1/PD zoning standards; 2) the proportions and massing of the new house is sympathetic to the architectural style and character of the approved Alden Crossing Plan Type 3 House...
Resolution No. P- 18
AR-16-057

(Elevation Option B) and therefore, will promote "proper site planning, architectural design and property maintenance" and will preserve "the quality of the City's residential neighborhoods" as stated in the Land Use and Circulation Goals (LUC-A and LUC-B) and Land Use Policies (LUC-A-1 and LUC-B-1) contained in the Land Use and Circulation Element of the Foster City General Plan; 3) the proposed second-story is set back from the first story building wall in the front and the rear, is well integrated into the site and existing building such that it will not overwhelm the existing house and will be harmonious with the surrounding neighborhood, consistent with Section 2.28.010 of the Foster City Municipal Code and with the City’s adopted Architectural and Solar Guidelines; and 4) the proposed addition will not cause any significant solar impacts to the adjacent house, consistent with Solar Policy P-1-2000; and 4) the proposed addition will improve a typical residential use consistent with the Land Use Plan designation of Single-Family Residential.

2. That the design of the proposal, with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision), would be consistent with and appropriate to the City, the neighborhood, and the lot on which they are proposed because: 1) the proposed building height of the two-story house is 24'-6" consistent with the Alden Crossing R-1/PD zoning district standards for Plan Type 3 which allows a maximum allowable building height of 25'-0"; 2) the proposed lot coverage of 40% are consistent with the R-1/PD zoning district’s maximum lot coverage of 50%; 3) the proposed setbacks of 20'-0" in the front, 5'-0" on the interior lot side; 10'-0" on the street side and 20'-0" on the rear are consistent with the setbacks established in the R-1/PD district; 4) the proposed roof forms and pitch are compatible with the roof pitches and slopes approved for Plan Type 3; 5) the proposed new houses uses exterior building materials and colors that are harmonious with other houses in Alden Crossing development and consistent with the approved prototypes for Alden Crossing and ; 6) the addition is similar in form, size and architectural style to other Plan Type 3 houses within the neighborhood, and as such will be compatible with the location, size and design of the houses in the surrounding neighborhood in which it is located.

3. That the proposal would not, 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, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because: 1) it will require procurement of a building permit to ensure safe construction; 2) the addition would not block views from neighboring properties; 3) the project will have no significant solar impacts, as identified Policy P-1-2000; and, 4) is well designed in terms of form, proportion, scale and use of materials and will be harmonious with the site, the Alden Crossing development and neighborhood.
BE IT FURTHER RESOLVED that the Planning Commission approves AR-16-057, subject to the conditions in Exhibit A attached hereto and incorporated herein.

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

DAN DYCKMAN, CHAIRMAN

ATTEST:

CURTIS BANKS, SECRETARY
EXHIBIT A

(Conditions attached to approval of room addition by the Planning Commission on September 20, 2018)

1. Prior to commencement of work, a building permit shall be obtained from the Building Inspection Division. Four (4) sets of final construction drawings shall be submitted with the building permit application.

2. All conditions of approval listed in this Exhibit shall be included on plan sheet(s) in the drawing set submitted for Building Permit.

3. All construction work shall conform to the plans and elevations prepared by Dennis Norton of Dennis Norton Home Design and Project Planning, received by the Foster City Planning/Code Enforcement Division on May 31, 2018, on file with the Community Development Department, except as modified in subsequent conditions of approval included in this Exhibit A. Approval of the subject Plans is predicated upon the accuracy of the information provided on all of the Plans demonstrating proposed and existing conditions, including but not limited to information describing setbacks; heights; dimensions; colors; materials; roof pitches; and, fenestration. If during the construction process it is determined that information on the approved Plans is inaccurate, or if the improvement under construction is not consistent with the approved Plans, the construction work may be stopped until the matter is resolved to the satisfaction of the Community Development Director.

4. All materials and colors shall be as approved. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans. Any changes which affect the exterior character of the work shall be resubmitted for approval. The construction or placement of unapproved features or unapproved changes to buildings or structures which were a part of approved plans can and will result in the issuance of a “Stop Work Order” by the City, the need to revise plans and obtain City approval for all changes prior to recommencing work, and the possibility of penalty fees being assessed for unauthorized work.

5. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of adjacent surfaces. No electrical conduits or similar piping shall be allowed on the exterior of the building unless approved prior to installation by the Community Development Director.

6. All architectural elements such as soffits, screens, etc., not shown or detailed on the plans shall be finished in a material and color in harmony with the exterior of the building.

7. Smoke detectors shall be installed to the satisfaction of the Building Inspection Division in any approved room addition.

8. Exterior lighting of the building and site shall not be directed onto adjacent properties, and the light source shall be shielded from direct off-site view.

9. Plans submitted for building permit shall include all mechanical equipment and utilities, including AC unit (if any), water heater, electrical and gas meters. Note that
Resolution No. P - AR-16-057

10. Standard residential security requirements as established by Chapter 15.28 of the Foster City Municipal Code shall be provided.

11. Prior to any final building inspection approval, any imposed conditions and all improvements shall be completed to the satisfaction of the City.

12. Prior to any demolition or disassembly of any portion of the existing structure or site, a detailed plan, in the form of either a letter or on the City’s Demolition Information Form, describing all aspects of such work (how and when it will be conducted; special related equipment required, how materials will be removed from the site, how public safety will be ensured throughout this process, etc.) shall be submitted to the Chief Building Official. Such work shall not begin until the Chief Building Official approves the plan by affixing his/her signature and the date of approval to it. The Chief Building Official may require that plans be amended until he/she determines that they satisfactorily meet all City health, safety and general welfare concerns. A copy of the approved plan shall be given to the applicant or their designee and shall at all times be kept on the job site along with approved project plans.

13. Any damage to public (City) infrastructure (streets, sidewalks, utilities, etc.) caused by construction (including use of heavy equipment) associated with the building permit, shall be repaired to the satisfaction of the Public Works Department and the Building Division prior to final sign-off on the building permit.

14. The placement of materials disposal or trash bins within public rights-of-way, including on public streets and on public sidewalks, shall not be allowed until such time as an Encroachment Permit has been issued by the Engineering Division of the Public Works Department.

15. In order to assure public safety and minimize the unattractive short term aspects of construction on the neighborhood, prior to issuance of a building permit, building plans shall include site control information which, at a minimum: 1) Provides that a 6 (six) foot tall chain-link fence (no portion of which contains barbed wire) with a dark green (or other color approved by the Community Development Director) vinyl or canvas liner placed on the exterior of the fence shall be placed around any yard or any portion of a yard which the Chief Building Official shall identify as requiring such.

16. All required fencing shall be in place prior to the commencement of any work on site, shall remain in place for such time as required by the Chief Building Official and shall be removed prior to the issuance of an Occupancy Permit. The gate to the fence shall be locked at all times that the fenced area is left unattended by either the owner or resident, the contractor or subcontractors. All construction materials and equipment, including temporary or portable equipment, such as generators, storage containers or facilities, shall be stored within the interior of the fenced area when construction activities are not occurring. If placed anywhere on site, portable toilets shall be placed within the interior of the fenced area at all times.

17. Building materials, construction equipment and tools, or other items related to the construction or demolition work to be performed shall be stored behind and below required
fencing/screening unless special approval to place or store the materials or items is granted by the Community Development Director.

18. The Building Permit Plans shall note the roof material and color to be 1) as shown on the plans herein approved, or 2) if in a R-1 District, a roof material and color consistent with the list maintained by the Community Development Department for “Reroofing Materials and Colors Approved for Use in R-1 Districts,” or 3) if in a PD, Planned Development District, a material and color consistent with the approved prototype for the development. The same material and color shall be used on all structures higher than the fence line unless otherwise approved by the Community Development Director.

19. If the value of the project exceeds $100,000, then prior to issuance of a building permit, the applicant shall submit a Waste Management Plan with estimated quantities of debris expected to be generated by the project, how it will be recycled/disposed of, and an accompanying deposit in accordance with Chapter 15.44 of the Foster City Municipal Code.

20. Within sixty (60) days following the completion of the demolition phase of a covered project, and again within sixty (60) days following the completion of the construction phase of a covered project, the contractor shall submit documentation to the Building Inspection Division that demonstrates compliance with Chapter 15.44 of the Foster City Municipal Code. Documentation includes submission of a completed Final Compliance Report with corresponding recycling, salvage, and disposal receipts/tickets from the facilities, to demonstrate where the debris was recycled, salvaged, or disposed.

21. Once a building permit is issued, it is the permit holder’s responsibility to ensure that the project receives a final inspection before the building permit expires (180 days after the last inspection). Failure to receive and/or pass a final inspection will result in the expiration of the building permit which will require additional fees to reactivate.

22. Fire sprinklers are required for any new house. Flow calculations and plans for the fire sprinkler system shall be prepared by a qualified Fire Sprinkler System contractor or a licensed design professional and shall be submitted concurrently with construction plans for City review and approval. If tapping into the city’s water main is required for a dedicated fire service, an encroachment permit is required.

23. A design-level geotechnical investigation, in compliance with California Building Code, California Residential Code and Foster City amendments, shall be prepared by a licensed professional and submitted with the construction documents to the City Building Inspection Division for review and approval for any new house or new second story. The report shall determine the proposed project’s geotechnical conditions and address appropriate building techniques and potential seismic hazards. All recommendations, design criteria, and specifications set forth in the design-level geotechnical investigation shall be incorporated into the construction plans.

24. Construction activities shall be limited to the hours of 8 a.m. to 5 p.m. on weekdays Monday through Friday. No construction shall take place on Saturdays, Sundays or legal holidays.
25. All construction related activities including but not limited to noise, vibration, dust etc., shall be in accordance with Chapter 17.68, General Performance Standards, of Title 17, of the Foster City Municipal Code.

26. Exterior materials and colors shall be consistent with the table below:

<table>
<thead>
<tr>
<th>APPROVED COLORS AND MATERIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Siding</strong></td>
</tr>
<tr>
<td><strong>Trim</strong></td>
</tr>
<tr>
<td><strong>Roof</strong></td>
</tr>
<tr>
<td><strong>Windows &amp; doors</strong></td>
</tr>
<tr>
<td><strong>Garage door</strong></td>
</tr>
</tbody>
</table>

27. All exterior building materials and colors shall comply with the approved Prototypes for Alden Crossing.

28. The exterior paint scheme for the new house shall match ‘New Option 1’ of the approved Exterior Colors for Alden Crossing
   - House Body (including garage trim & door): Kelly Moore KM3812-2 (Blue Gray)
   - Gutters, Fascias, Trim (excluding garage trim): Kelly Moore KM-1240-121 (White)
   - Front Door, Shutters: Kelly Moore KM-1250-121 (White) or KM-97-074 (Dark Blue)

29. The material of the garage door shall be wood, wood composite or steel painted white or to match the body color of the house. Plans submitted for building permit shall call out the garage door material and color.

30. The exterior paint for the Front Door shall be consistent with the Alden Crossing Prototype for paint color for doors.

31. All windows and sliding glass/patio doors on the same elevation shall match in terms of frame color and materials, frame style and width, operational style and use of grids.

32. The proposed fixed windows above the casement windows on the south elevation (facing Port Royal Avenue) shall be eliminated and/or separate fixed/transom windows consistent with existing window styles in Alden Crossing may be added in lieu of the proposed fixed windows above the casement. Such fixed/transom window shall have a wood trim consistent with the wood trim around the windows/doors on that elevation.

33. The proposed gable style on the rear (east) elevation shall be modified to a standard gable (by removing the interior rake) to be consistent with Plan Type 3 gable roof form.
34. The proposed gable roof above the second story window on the left (north) elevation shall be eliminated to be consistent with Plan Type 3.

35. All windows and patio doors (including the glass folding door) shall meet the U-factor requirements of Title 24.

36. The two-car garage shall be a minimum of twenty feet in width and twenty feet in depth of unobstructed area provided for parking purposes. The required minimum measurements may not include the exterior walls or supports of the structure.

37. Note that an Architectural Review permit is required for any new fence in the front yard and/or the street side yard of the subject property.

38. Note that the subject new home shall be subject to all applicable Alden Crossing Owners’ Article of Incorporation, Budget, Bylaws and CC&Rs.

Bold: Indicates Site Specific Condition
RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOSTER CITY
DENYING AN ARCHITECTURAL REVIEW REQUEST TO CONSTRUCT A NEW TWO STORY
SINGLE FAMILY RESIDENTIAL HOUSE OF 2,959 SQUARE FEET LOCATED AT 390
BISCAYNE AVENUE – DISTRESSED HOME SOLUTIONS, LLC – APN: 094-950-380– ALDEN
CROSSING – NEIGHBORHOOD 8 – AR-16-057

CITY OF FOSTER CITY PLANNING COMMISSION

WHEREAS, the property owner has requested Planning Commission approval of an
Architectural Review permit to construct a new two-story single family house of 2,959 sq. ft.
including the garage located at 390 Biscayne Avenue; and

WHEREAS, although the proposed house does cause some solar impacts to the
adjacent property, the impacts have been determined to be not significant pursuant to City
adopted Solar Policy P 1-2000; and

WHEREAS, the proposal has been determined by the Community Development Director
to be categorically exempt from the California Environmental Quality Act of 1970; and

WHEREAS, the plans for the proposed new house were reviewed at three (3) Planning
Commission Study Sessions on October 15, 2013, August 17, 2017 and January 18, 2018, all of
which were open to the general public and duly noticed, and

WHEREAS, on May 31, 2018, the applicant submitted revised plans addressing the
comments provided at the January 18, 2018 Planning Commission Study Session meeting; and

WHEREAS, on September 5, 2018, the City deemed that the Tentative Map
requirements for the proposed Lot Split (RS-16-002) at 390 Biscayne Avenue have been duly
fulfilled; and

WHEREAS, a Notice of Public Meeting was duly posted, published, and mailed for
consideration of the Architectural Review request at the Planning Commission meeting of
September 20, 2018; and

WHEREAS, the Planning Commission did duly consider the proposal at a public meeting
on September 20, 2018.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on the
facts and analysis in the Staff Report, written and oral testimony, and exhibits presented finds:

1. The proposal to construct a new house of 1,527 square feet on the first story, a 425 square
foot garage and 1,007 square feet second story located at 390 Biscayne Avenue, as
conditioned in Exhibit A, would not be consistent with the Foster City General Plan, Chapter
Resolution No. P - 18
AR-16-057

17.12 (R-1 Single-Family Residence District) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code, because

_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

2. That the design of the proposal, with respect to use, forms, materials, colors, setbacks, location, height, design or similar qualities as specified in Section 17.58.010 of Chapter 17.58 (Architectural Control and Supervision), would not be consistent with and appropriate to the City, the neighborhood, and the lot on which they are proposed because:

_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

3. That the proposal would, 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, and will not be injurious or detrimental to property and improvements in the neighborhood, property values in the area, or the general welfare of the City because ________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________

BE IT FURTHER RESOLVED that the Planning Commission hereby denies AR-16-057,

PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on September 20, 2018 by the following vote:

AYES, COMMISSIONERS:
NOES, COMMISSIONERS:
ABSTAIN, COMMISSIONERS:
ABSENT, COMMISSIONERS:

DAN DYCKMAN, CHAIRMAN

ATTEST:

CURTIS BANKS, SECRETARY
REQUESTED ACTION/PURPOSE

Review site and architectural plans for a proposed lot split of an existing 10,394 sq. ft. lot with an existing two-story single family house in the Alden Crossing Planned Development into two (2) lots of 5,249 sq. ft. and 5,145 sq. ft. each and construct a new two-story house of 1,565 sq. ft. first story, 434 sq. ft. garage, 108 sq. ft. porch and 1,271 sq. ft. second story on the new lot.

The purpose of this Study Session is to provide the applicant feedback regarding the general acceptability of the lot split and design of the proposed single-family residence. At the end of this report, there are several questions that staff requests feedback from the Commission at the Study Session.

GENERAL INFORMATION

GENERAL PLAN DESIGNATION: Single Family Residential

ZONING DISTRICT: R-1/PD (Single-Family Residence/Planned Development Combining District

ZONING HISTORY: On August 2, 1984, the Foster City Planning Commission approved a request for a Use Permit and Tentative Subdivision Map entitled Tract No. 103-84 by adoption of Resolutions P-95-84 and P-96-84 with conditions of approval to allow the construction of a 92-unit single-family detached planned residential development on a 17.07-acre site – UP-8-84 and RS-9-84

On November 5, 1984, the City Council of the City of Foster City approved the Final Subdivision Map entitled Tract No. 103-84 by adopting Resolution No. 84-160 and authorized execution of Subdivision Agreement for public improvements, Alden Crossing to allow the development of a 92-unit single-family residential development for a density of 5.4 units per acre on a 17.07-acre vacant site
located at the northwest corner of Port Royal Avenue and Edgewater Boulevard – RS-9-84 and DA-1-80

On October 15, 2013, the Planning Commission held a Study Session to review preliminary plans for a proposed lot split and construction of a new two-story single family house on the new lot – PR-13-006

SURROUNDING LAND USE:  
North: R-1 Single-family houses  
South: Port Royal Avenue and R-T/PD Townhouses in Williams Landing  
East: R-1/PD Single-family houses in Alden Crossing Development  
West: Biscayne Avenue, R-1 Single-Family houses and R-1/PD Single-family houses in Greenport Development

LOT SIZE:  
10,368 square feet (Gross Site Area - Assessor’s Records)

EXTERIOR CONSTRUCTION:

<table>
<thead>
<tr>
<th></th>
<th>ALDEN CROSSING APPROVED COLORS AND MATERIALS</th>
<th>PROPOSED COLORS AND MATERIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Siding</td>
<td>James Hardie Plank Siding – five (5), six (6) or seven (7) inches wide exposure (or) Wood plank siding that matches the existing siding – five and one-half inches wide</td>
<td>1 x 8 Horizontal James Hardie Board Lap Siding</td>
</tr>
<tr>
<td>Colors</td>
<td>Pre-approved colors for Alden Crossing</td>
<td>Kelly Moore 3812-2 (Blue Gray) for the siding and Kelly Moore 1240-121 (White) for trim</td>
</tr>
<tr>
<td>Trim</td>
<td>1 x 6 vertical wood trim on the building exterior</td>
<td>1 x 3, 1 x 4 wood trim and 2x8 Spruce Fascia</td>
</tr>
<tr>
<td>Roof</td>
<td>CertainTeed Presidential Platinum or GAF Timberline – Slate Ultra HD</td>
<td>Both CertainTeed Presidential Platinum or GAF Timberline – Slate Ultra HD called out on plans</td>
</tr>
<tr>
<td>Windows</td>
<td>White Vinyl to match existing windows in size, style, design, trim (1 x 6 trim on sides and 1 x 8 trim at the bottom) and location, including casement vs. double hung, etc. and grids or no grids.</td>
<td>White Vinyl (trim widths not called out on the plans)</td>
</tr>
<tr>
<td>Garage Doors</td>
<td>Raised panel design per Exhibit B of UP-84-008H - Solid or with one row of windows in the top section and painted white or match the unit’s body color in wood, wood composite or steel materials</td>
<td>Wood garage door (see plans for design) with 1 x 8 trim</td>
</tr>
</tbody>
</table>

KEY PLANNING OR DESIGN ISSUES

- Size, massing and placement of the second story
- Architectural Compatibility of the design of proposed house with houses in Alden Crossing
390 Biscayne Avenue is part of the Alden Crossing Planned Development. The Alden Crossing Homeowners’ Association (HOA) is part of the master recreation facility – Port Royal HOA. Homes in Alden Crossing are internally oriented except for 390 Biscayne Avenue which is located at the northeast corner of Port Royal and Biscayne Avenue abutting single-family residential houses in the R-1 zoning district along Biscayne Avenue.

The project has been ongoing since April 2013. A timeline of key events related to the project are noted below:

- On April 18, 2013, the Alden Crossing Board of Directors voted to approve the lot split at 390 Biscayne subject to conditions of approval. At the time, the board did not approve or take any action on the construction of the new house.
- On May 30, 2013, an application was submitted for preliminary review to subdivide the previously developed lot with an existing two-story single-family residence located at 390 Biscayne Avenue into two (2) lots of 5,158 sq. ft. and 5,236 sq. ft. each and construct a new two-story single-family residence of 1,583 sq. ft. first floor living area, a 494 sq. ft. garage, a 60 sq. ft. porch and a 1,377 sq. ft. second floor living area on the new lot.
- On October 15, 2013, the Planning Commission reviewed preliminary plans for the proposed lot split and the new single family home. A brief summary of the comments provided by the Commission is discussed below. The Meeting Minutes are attached.
- On October 24, 2013, staff sent a letter of incompleteness outlining unfulfilled submittal requirements.
- On January 2, 2014, preliminary design comments were sent to the applicant based on feedback received at the Planning Commission Study Session as well as staff comments from meeting with the applicant and the architect following the Study Session.
- On January 22, 2014, a more detailed letter with design comments was sent to the applicant. Staff noted that the final design of the new house and the lot split needs to be approved by the HOA. See attached letter.
- On October 25, 2016, the Alden Crossing HOA approved the proposed lot split and construction of new home with plans prepared by Dennis Norton and dated June 13, 2016 (attached).
- On October 27, 2016, a formal application was submitted for a proposed lot split of an existing 10,394 sq. ft. lot with an existing two-story single-family residence in the Alden Crossing Planned Development into two (2) lots of areas 5,158 sq. ft. (new lot A) and 5,236 sq. ft. (existing lot B) respectively and construct a new two-story house of 1,565 sq. ft. first story, 434 sq. ft. garage, 108 sq. ft. porch and 1,271 sq. ft. second story on the new lot. (File Nos. # AR-16-057 and RS-16-002)
- On November 22, 2016, staff sent a letter of incompleteness (attached) outlining unfulfilled submittal requirements based on the submittal and extensive design comments.
- On April 25, 2017, the applicant submitted revised plans including a Project Description (attached).
- On May 23, 2017, staff sent a letter of incompleteness (attached) outlining unfulfilled submittal requirements based on the submittal and design comments.
- On June 27, 2017, the applicant submitted revised plans.

As noted above, the project was reviewed at a Planning Commission Study Session on October 15, 2013. The Commission found that the lot split was generally acceptable. They directed the applicant to modify the design to match one of the approved Plan Types for Alden Crossing. They also noted the tightness of the corner lot as a result of taking one large lot and splitting it into two smaller lots. The overall direction was that the design of the house should be well integrated into the Alden Crossing Planned Development and the lot on which it is proposed.
Additionally, the Planning Commission requested that the second story be set back from the first story wall on the rear and more separation between buildings should be considered to mitigate neighbor’s concerns regarding open space and privacy. They also noted that the Alden Crossing HOA should approve the design of the new house.

Although the application is still incomplete at the time, staff has scheduled the item for a Planning Commission Study Session for August 17, 2017 to get some preliminary design feedback on the proposal. The applicant will provide all necessary information and materials following this Study Session and prior to the next Planning Commission meeting.

**ANALYSIS**

**Consistency with the General Plan**

The existing General Plan designation of the site is Single-Family Residential, which allows up to eight (8) dwelling units per acre. The proposed land use is the same as the existing Single-Family Residential and therefore, is consistent with the land use designation in the General Plan for the site. The Alden Crossing development comprises of Parcels D and E that were originally part of a Master Development Agreement that not only included Alden Crossing but also several other developments in neighborhoods 7 and 8 that were approved for a total of 1240 units. The maximum number of units permitted as part of this Alden Crossing Master Development Agreement was 93 single-family units. However, Alden Crossing was finally approved and developed for 92 units and a 6,700 sq. ft. site was selected by the City to be dedicated as a fire station. The existing density for Alden Crossing is 5.4 units per acre (total of 92 units on 17.07 acres). If an additional unit is added for a total of 93 units, the total density would be 5.5 units per acre which is within the allowable density established in the General Plan.

**Consistency with the Zoning Ordinance Requirements & Alden Crossing Development Standards**

The subject property is part of the Alden Crossing Planned Development (R-1/PD) although the lot fronts the R-1 single family homes along Biscayne Avenue. The PD zoning district provides some flexibility when compared to the typical R-1 zoning standards. Staff has provided a comparison of the proposal with the R-1 Single-Family standards as well as the Alden Crossing Development Standards. The proposed project is more in line with the R-1 zoning standards as indicated in the table below in terms of setbacks, height, lot coverage, minimum lot size and minimum floor area standards.

<table>
<thead>
<tr>
<th></th>
<th>R-1 ZONING STANDARDS</th>
<th>R-1/PD ZONING ALDEN CROSSING</th>
<th>LOT 1 (EXISTING)</th>
<th>LOT 2 (PROPOSED)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>5,000 sq. ft. minimum</td>
<td>6,000 sq. ft. average (Lot sizes range from 4,900 sq. ft. to 10,394 sq. ft.)</td>
<td>5,249 sq. ft. (Interior Lot)</td>
<td>5,145 sq. ft. (Corner Lot)</td>
</tr>
<tr>
<td>Lot Width</td>
<td>40'-0&quot; minimum</td>
<td>55'-0&quot; to 60'-0&quot;</td>
<td>55'-0&quot;</td>
<td>Average 54'-6&quot; (52' 5&quot; - 57'-0&quot;)</td>
</tr>
<tr>
<td>Height</td>
<td>Average 25'-0&quot; maximum*</td>
<td>Maximum height of 25'-0&quot;</td>
<td>25'-0&quot; to top of the roof ridge</td>
<td>24'-6&quot; to top of the roof ridge</td>
</tr>
<tr>
<td>Front Setback</td>
<td>20'-0&quot; minimum</td>
<td>Minimum 10'-0&quot; for side entry garage and 20'-0&quot; on front entry garage</td>
<td>10'-0&quot; (existing from side entry garage)</td>
<td>20'-0&quot; (front entry garage)</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>20'-0&quot; minimum</td>
<td>Varies depending on plan type (12'-0&quot; to 27'-0&quot; minimum)</td>
<td>24'-0&quot; (existing)</td>
<td>18'-0&quot; (from wall closest to the rear property line)</td>
</tr>
</tbody>
</table>
Section 17.04.240, Definitions, Height of building, of the Foster City Municipal Code defines building height as the average height of a sloped roof.

### Lot Size and Coverage

Existing lot sizes in Alden Crossing range from 4,888 sq. ft. to 10,368 sq. ft. with the average lot size being 6,000 sq. ft. The existing site at 390 Biscayne Avenue is one of the largest lots in the Alden Crossing Development of 10,394 sq. ft. Unit sizes range from 2,140 sq. ft. to 2,625 sq. ft. with lot coverage from 34-45%. Staff compared lot sizes and lot widths of the proposed house with respect to some of the homes in the immediate neighborhood. Please refer to the attached Exhibit that shows the comparison of lots and house sizes. With the proposed lot split, the size of the two lots would be 5,249 sq. ft. and 5,145 sq. ft. respectively.

### Staff Comments

Although the proposed lot sizes are smaller when compared to some of the lots in the immediate neighborhood, it is consistent with other lots that are similar in size and width along Biscayne Avenue and Thatcher Lane (which is in the Alden Crossing Development). Additionally, there are at least two other houses in Alden Crossing - 313 Thatcher Lane and 496 Thatcher Lane that are 4,888 sq. ft. and 4,950 sq. ft. respectively.

### Design Consistency

The original Use Permit approved three (3) Plan Types for Alden Crossing (attached). The design of the houses reflects the New England Style architecture. Typical design characteristics include horizontal lapboard siding, wood trimmed aluminum windows with decorative wood shutters, louvered vents, asphalt composition or wood shake roofs with chimney on one end, double dormers, bay or box windows and decorative wood pot shelves below the front windows. The proposed lot fronts single-family houses along Biscayne Avenue that are a combination of Ranch style and Shed style houses. Typical characteristics include deeply recessed porches within the angular shed style roof, wood trims, transom/clerestory windows and a deck with railing above the garage.

The front and rear yard setbacks for houses in Alden Crossing vary depending on the Plan Type. Front yard setbacks are typically 10′-0″ for garages with a side entry and 20′-0″ for garages with a front entry. The rear yard setbacks of several units (i.e., Plan 1 and 2 homes) encroach within the usually required 20 feet rear yard setback to approximately 14-16 feet. However, the second-story elements on the homes are stepped back from the front yard and rear yards where homes encroach into the rear yard setback to provide spacious front yards and rear yard privacy.
Plans 1 and 3 are smaller in area compared to Plan 2. Plans 2 and 3 provides a three-car garage and Plan 1 provides a two-car garage. The majority of the living area is provided on the ground floor and second-story elements are set back sufficiently. In Plan 2 with a side-facing garage, the bulk of the second-story element is set back 40 feet from the front property line to provide undulation and interest to the streetscape. In other plan types, the upper floor is centrally located in an attempt to soften the front elevation and to eliminate situations where two story elements are stacked on the rear foundation and have backyard interference with other houses of a similar design. Where the second story wall of Plan 2 houses is stacked on the rear first story building wall, there is a minimum 27’-0” rear yard setback. Where houses are less than 20 feet from the rear property line, the second story is stepped away significantly from the first floor building walls so as not to infringe on the privacy of neighbors.

The existing single family house on the existing lot at 390 Biscayne was built per Plan 2 of the approved plans with a three car side-entry garage. Although the applicant notes that the proposed house attempts to resemble Plan 2, staff thinks that the proposed design is a modified version of Plan 3 (Elevation B) with a two car front entry garage.

Staff Comments

The following is a summary of staff comments based on initial feedback provided by the Commission on October 15, 2013 and subsequent design comments provided by staff:

- It was recommended that the applicant consider a smaller house on the new lot instead of putting a larger house due to the tightness of the corner lot.
  - The applicant has reduced the size of the first story by 18 sq. ft. and the second story by 106 sq. ft. from the previous proposal reviewed by the Commission. Plans previously reviewed by the Commission are attached for reference. The proposed area of the new house is 2,836 sq. ft. (previously 2,960 sq. ft.) is more than the current size of houses in Alden Crossing that are typically between 2,140 to 2,680 sq. ft. The proposed 1,377 sq. ft. second-story massing is larger than the typical second-story massing in Alden Crossing per the approved Plan Types. Houses on the smallest lots (slightly under 5,000 sq. ft.) are 2,390 sq. ft. The proposed house is 446 sq. ft. larger than the typical house size situated on a similar sized lot.

- It was recommended that the design of the new house match one of the three approved plan types for Alden Crossing and look like it belongs to the rest of the subdivision. Minor deviations in the design may be permitted as long as the overall style of the house needs to be consistent with one of the three approved plan types.
  - The proposed house attempts to match Plan 3. There have been significant changes from the previous proposal by eliminating some excessive design features (exterior brick veneer wainscoting, arch-shaped windows, corbel features, etc.,) that were out of character with houses in the Alden Crossing neighborhood. In the latest proposal, there is an attempt to mimic Elevation B of Plan 3 by the use of large shed roofs to accommodate vaulted ceilings and a gable roof in the rear. The proposed roof pitches are 3.5:12, 5:12 and 7:12 whereas the roof pitches of Plan 3 incorporate only 7:12 and 4:12. Given the massing of the second story as further explained below and the combination of the various roof pitches, there is a deviation from the approved Elevation B of Plan 3 houses. Additionally, the proposed garage door does not match the approved Alden Crossing garage door prototype and needs to be modified.
It was recommended that the second story be stepped in from the first story wall on the rear and more separation between buildings should be considered to mitigate neighbor’s concerns regarding open space and privacy. Staff has provided a comparison below of the proposed second story from the previous proposal that the Commission had reviewed.

1. **First story – Rear setback from rear property line**
   - The proposed house provides an 18’-0” to 20’-0” rear setback on the first story whereas the previous proposal maintained a uniform rear setback of 20’-0”.
   - Plan 3 allows for a minimum rear yard setback of 12’-0” on from the wall closest to the rear property line and 22’-0” from the wall farthest to the rear property line.

2. **Second Story – Rear setback from the first story building wall**
   - The second story wall on the rear has been stepped back from the first story wall on the southeast corner of the site by 16’-0” to 18’-0”. This was achieved by eliminating the second story master bedroom from the previous proposal and replacing it with a large shed roof to accommodate a vaulted ceiling.
   - In the previous proposal, a majority of the second story wall was stacked above the first story wall with only a portion of the second story stepping in by 5’-0” to 6’-0”.
   - In the current proposal, the only location where the second story wall stacks above the first story wall on the rear is on the northeast corner of the house where the master bedroom is located. The second story master bathroom steps in 2’-6” from the master bedroom wall.

3. **First story – Front setback from front property line**
   - The proposed house provides a 20’-0” front setback on the first story similar to the previous proposal.
   - The right side of the first story is setback further from the garage wall by 8’-0” and an entry porch with wood posts facing Biscayne Avenue has been provided.
   - In the previous proposal, the right side of the first story was in line with the garage wall and the entry porch was provided facing Port Royal Avenue.

4. **Second Story – Front setback from first floor building wall**
   - The setback of the second story wall from the first story building wall on the front is similar to the previous proposal. However, the tall octagonal shaped living room with a turret roof from the previous proposal has been eliminated and replaced with a large shed roof (to the right side of the garage) to accommodate a vaulted ceiling.

In Plan 3 (Elevation B), the second floor is placed on the front half of the house above the garage and set back from the first story garage wall to soften the front elevation from the street. Plans for Alden Crossing were designed to eliminate situations where two story elements are stacked on the rear foundation and have backyard interference with other houses of a similar design. The proposed second story is stepped back from the first story garage wall consistent with Plan 3 and a portion of second story is eliminated in an attempt to mitigate open space and privacy impacts to the neighbor on the rear. The proposed plan differs from the originally approved Plan 3 in that a portion of the second story is placed towards the rear of the house. As
discussed below, the neighbor on the rear (193 Thatcher Lane) has expressed concerns related to privacy. It is important to note that Alden Crossing Plan 3 allows for a minimum rear setback of 12’-0”, whereas the proposed rear setback is 18’-0” to 20’-0”. Additionally, the second story addition as seen from the street is along the entire width of the house on the front which differs from Plan 3 where the second story is placed on the left side of the house.

If the Commission has any concerns, they may direct the applicant to orient the second story towards the front half of the house. Staff is seeking Commission feedback on the bulk, massing and placement of the second story as discussed above.

ALDEN CROSSING HOA APPROVAL

The Alden Crossing HOA has reviewed and approved the lot split and the design of the new house per plans submitted in October. However, modifications have been made to the design since the submittal in October. The applicant would need to get a revised approval from the Alden Crossing HOA approving any design modifications made to the proposal since the original submittal.

LOT SPLIT

The applicant would also be required to fulfill all submittal requirements as required under Chapter 16.32, Minor Land Division – Tentative and Final Maps of the Foster City Municipal Code and in accordance with the Subdivision Map Act as required by Public Works Engineering for the proposed lot split.

PRIVACY AND SOLAR IMPACTS

The Solar Study provided by the applicant is incomplete. The Solar Study does not show solar impacts during the Spring and Fall seasons. The Solar Study also does not show impacts to the properties on the rear (199 and 193 Thatcher Lane). The applicant would be required to submit a revised solar study based on the final design of the proposal including any impacts to the adjacent houses on the side and the rear. The Solar Study questionnaire needs to be revised accordingly based on the revised solar study.

The Planning Commission and City Council adopted Solar Policy P-1-2000 on January 18, 2000. The Policy categorizes kitchens, living rooms, dining rooms and rear yards as “high use” spaces and bedrooms as “low use” spaces. The Policy defines an impact to the adjacent property as significant if the addition does the following:

- Completely eliminates all direct sunlight to any high-use living space in an adjacent house.
- Reduces more than two hours of direct sunlight to a high-use living space (living/dining room or kitchen), or if it reduces more than four hours of direct sunlight to a low use space (bedroom, but not including bathroom).
- Reduces the amount of time that an adjacent house’s windows receive direct sunlight by more than 50 percent at any season where an impact occurs.

NEIGHBOR NOTIFICATION

390, 395, 397 and 399 Biscayne Avenue

The owners of 395 Biscayne Avenue have submitted an Architectural Review Notification Form indicating that they would like to discuss the proposal with staff.
The owners of 397 Biscayne Avenue have submitted an Architectural Review Notification Form indicating that they are opposed to the proposal as it will decrease property values.

The owners of 390 and 399 Biscayne Avenue were provided with an opportunity to review the plans but have not returned the Architectural Review Notification form indicating any comments.

**398 Biscayne Avenue**

The property owners of 398 Biscayne Avenue were not provided with an opportunity to review the plans.

**199 Thatcher Lane**

The property owners of 199 Thatcher Lane were not provided with an opportunity to review the plans.

**193 and 201 Thatcher Lane**

The owners of 193 Thatcher Lane have submitted an Architectural Review Notification Form indicating that the proposed house would affect the privacy and usage of rear yard space and affect the value of their home. See attached letter from the property owner.

The owners of 201 Thatcher Lane were provided with an opportunity to review the plans but have not returned the Architectural Review Notification form indicating any comments.

**7, 10 and 11 Williams Lane – Adjacent Properties to the South**

The property owners of 7, 10 and 11 Williams Lane were not provided with an opportunity to review the plans.

In addition to the neighbor notification forms, a notice of the August 17, 2017 Planning Commission Study Session was mailed to adjacent property owners within a 300’ mailing radius, published in the Islander, the City website and Public Posting Places.

Staff has prepared the following questions to assist the Planning Commission’s discussion:

1. Is the design of the proposed house architecturally compatible with houses in the Alden Crossing Development?

2. Should the bulk and mass of the second story be modified or is it acceptable?

3. Should the second story be placed towards the front half of the house to be consistent with Plan Type 3?

4. Should the design of the house be further modified to match Elevation 3 of Plan 3?
5. Are there any issues, concerns or general matters that members of the Commission would like to discuss or ask staff to review?

NEXT STEPS

If the Planning Commission determines that the proposed design is generally acceptable and once the application is deemed complete, staff will reschedule the matter for another Regular Meeting with a complete review of each elevation. The Commission can then review the plans and approve them or approve them with modifications.

If the Planning Commission determines that the proposed design is not acceptable, the applicant will have to decide whether to move forward to a Regular Meeting, and if not approved by the Commission, appeal the Commission’s decision to the City Council, or redesign the elevations per comments received from the Commission and as anticipated by the City's Architectural and Solar Guidelines.

INDIVIDUALS, ORGANIZATIONS, AND DOCUMENTS CONSULTED

Arthur Lin, Applicant
Dennis Norton, Architect
City of Foster City General Plan
City of Foster City Zoning Ordinance
City's adopted Architectural and Solar Guidelines
Solar Impact Policy P-1-2000
Alden Crossing Prototypes

ATTACHMENTS

Attachment 1: October 15, 2013 Planning Commission Meeting Minutes
Attachment 2: Alden Crossing HOA Approval Letter dated October 25, 2016
Attachment 3: Incompleteness letter dated November 22, 2016
Attachment 4: Project Description dated April 19, 2017
Attachment 5: Incompleteness letter dated May 23, 2017
Attachment 6: Exhibit comparing lot sizes and lot dimensions
Attachment 7: Approved Plan Types for Alden Crossing
Attachment 8: Letter from property owners of 193 Thatcher Lane
Attachment 9: Previously Reviewed Plans by the Planning Commission
Attachment 10: Vicinity Map
Attachment 11: Latest plan submittal
TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: MARLENE SUBHASHINI, PLANNING MANAGER

CASE NO.: AR-16-057 & RS-16-002

OWNER: DISTRESSED HOME SOLUTIONS, LLC

PROJECT LOCATION: 390 BISCAYNE AVE. (ALDEN CROSSING / NEIGHBORHOOD 8)

REQUESTED ACTION/PURPOSE

Review revised site and architectural plans for a proposed lot split of an existing 10,394 sq. ft. lot with an existing two-story single family house in the Alden Crossing Planned Development into two (2) lots of 5,249 sq. ft. and 5,145 sq. ft. each and construct a new two-story house of 2,959 sq. ft. including garage on the new lot.

The purpose of this Study Session is to provide the applicant feedback regarding the revised design of the proposal. At the end of this report, there are several questions that staff requests feedback from the Commission at the Study Session.

GENERAL INFORMATION

GENERAL PLAN DESIGNATION: Single Family Residential

ZONING DISTRICT: R-1/PD (Single-Family Residence/Planned Development Combining District

ZONING HISTORY: Refer to attached August 17, 2017 PCSS Staff Report

SURROUNDING LAND USE: North: R-1 Single-family houses
South: Port Royal Avenue and R-T/PD Townhouses in Williams Landing
East: R-1/PD Single-family houses in Alden Crossing Development
West: Biscayne Avenue, R-1 Single-Family houses and R-1/PD Single-family houses in Greenport Development

LOT SIZE: 10,368 square feet (Gross Site Area - Assessor’s Records)

EXTERIOR CONSTRUCTION: Refer to attached August 17, 2017 PCSS Staff Report
KEY PLANNING OR DESIGN ISSUES

- Massing and size of the new house
- Placement of second story
- Architectural compatibility of the design of proposed house with approved Plan Types in Alden Crossing

BACKGROUND

At the Planning Commission Study Session meeting of August 17, 2017, the Commission reviewed and discussed site and architectural plans for the proposed lot split at 390 Biscayne and design of the new two-story house.

The Commissioners were supportive of the lot split. However, they expressed concerns regarding the overall massing, lack of articulation and size of the second story. Specifically, they thought that the north and south elevations lacked articulation. The Commissioners agreed that the design of the house needs to follow one of the three designs for Alden Crossing without mixing Plan Types or Designs and that the exterior needs to relate to the neighborhood. For a complete background discussion on the project, please refer to the attached August 17, 2017 Planning Commission Staff Report (Attachment 1). The approved Minutes of the August 17, 2017 Planning Commission meeting is attached for reference (Attachment 2). In response to the direction received at the meeting, the applicant submitted revised plans on November 14, 2017. The Alden Crossing HOA emailed staff a letter dated December 10, 2017 stating that the board voted approval of the new home (Attachment 3).

Although the application is still incomplete at the time, staff has scheduled the item for a Planning Commission Study Session for January 18, 2018 to get feedback of the revised design of the proposal. The applicant will provide all necessary information and materials following this Study Session and prior to the next Planning Commission meeting.

ANALYSIS

ARCHITECTURE

As noted above, at the August 17, 2017 Planning Commission meeting, the Commission had some comments related to the building design, massing and compatibility of the proposed house with other houses in the Alden Crossing development. This report will discuss changes to the plans since the August 17th meeting. Plans of the originally approved Plan Types in Alden Crossing, plans reviewed at the August 17, 2017 Planning Commission and the latest revised plans are attached to the report for reference. Staff has also put together an Exhibit that shows a comparison of the elevations only from the previous submittal, the Alden Crossing Plan Type 3 and current submittal (Attachment 4). In response to comments from the Commission, the applicant has revised the proposal as outlined below:

- Reduced the square footage of the first story by 38 sq. ft. (from 1,565 sq. ft. to 1,527 sq. ft.) The size of the garage has also been reduced slightly (from 434 sq. ft. to 425 sq. ft.).
- The great room with double height and vaulted ceiling has been eliminated to form a one-story element on the front elevation.
- The second story is set back further by 10'-8" from the first story building walls on the rear.
- Reduced the square footage of the second story by 264 sq. ft. (from 1,271 sq. ft. to 1,007 sq. ft.)
- Increased the overall building height from the topmost portion of the ridge from 24'-6" to 25'-10".
- Increased the first and second story plate height from 8'-0" to 9'-0".
- The second story dormer window on the front elevation has been eliminated.
- On the right side, the second story wall has been stepped in by 3'-0" from the first story building wall.
- On the south elevation (right side) the roof pitches have been modified to a 3:12 and 6:12 slopes (previously 3.5:12 and 7:12)
- The chimney has been eliminated.
- On the east elevation (rear), the roof form is a large side facing gable with one gable above the sliding glass door on the first story.
- Second story windows on the east (rear) elevation have been eliminated completely.
- On the north elevation (left side), the massing of the second story has been significantly reduced.
- The roof forms on the north (left side) have been modified with one large gable roof and a portion of the second story roof visible.

PRIVACY AND SOLAR IMPACTS

The Solar Study provided by the applicant is incomplete. The Solar Study does not show solar impacts during the Spring and Fall seasons. The Solar Study also does not show impacts to the properties on the rear (199 and 193 Thatcher Lane). The applicant would be required to submit a revised solar study based on the final design of the proposal including any impacts to the adjacent houses on the side and the rear. The Solar Study questionnaire needs to be revised accordingly based on the revised solar study.

The Planning Commission and City Council adopted Solar Policy P-1-2000 on January 18, 2000. The Policy categorizes kitchens, living rooms, dining rooms and rear yards as "high use" spaces and bedrooms as "low use" spaces. The Policy defines an impact to the adjacent property as significant if the addition does the following:

- Completely eliminates all direct sunlight to any high-use living space in an adjacent house.
- Reduces more than two hours of direct sunlight to a high-use living space (living/dining room or kitchen), or if it reduces more than four hours of direct sunlight to a low use space (bedroom, but not including bathroom).
- Reduces the amount of time that an adjacent house’s windows receive direct sunlight by more than 50 percent at any season where an impact occurs.

NEIGHBOR NOTIFICATION

The following neighbors were notified by the applicant of the revised proposal:

**395, 397, 398 and 399 Biscayne Avenue; and**
**193, 199 and 201 Thatcher Lane.**

Staff received Architectural Review Neighbor Notification forms from the following neighbors:

**193 Thatcher Lane**

The owners of 193 Thatcher Lane have submitted an Architectural Review Neighbor Notification Form indicating that they would like staff to contact them. In an email to staff, the owner expressed that even though privacy issues have been addressed, he has concerns about the overall size of the home and thinks that Plan 1 (Andover Plan) of the approved Alden Crossing Plan Types would be a better fit for the site. See attached Neighbor Notification Form and email correspondence (Attachment 5).
201 Thatcher Lane
The owners of 201 Thatcher Lane have submitted an Architectural Review Neighbor Notification Form indicating that they are opposed to the proposal due to overcrowding from schools, environmental impacts and stated that they don’t want any more additional housing. See attached Neighbor Notification Form (Attachment 5).

395 Biscayne Avenue
The owners of 395 Biscayne Avenue did not return the Architectural Review Neighbor Notification Form. However, they did contact staff expressing concerns about cars speeding at the corner of Biscayne and Port Royal Avenue. They wanted to know if the two-way stop sign can be made into a three-way stop if the lot split is approved. In response to the owners concerns, the Public Works maintenance staff installed a double yellow centerline stripe and delineators on Biscayne Avenue that would help slow down traffic. See attached email correspondence between the property owner and Public Works Director, Jeff Moneda (Attachment 5).

In addition to the neighbor notification forms, a notice of the January 18, 2018 Planning Commission Study Session was mailed to adjacent property owners within a 300’ mailing radius, published in the Islander, the City website and Public Posting Places.

STAFF COMMENTS

Staff conducted a site visit of houses specifically located in corner lots at the Alden Crossing development. Staff found that majority of the houses on the corner lots was built per the approved Plan Type 3 with a mix of elevations A & B. Staff thinks that Plan Type 3 is suitable for the subject lot. Although the revised plans attempt to address the overall bulk and massing of the new house (by reducing the size of the second story) based on Planning Commission feedback at the prior Study Session, there are some deviations from the approved Plan Type 3 (Elevation B) of Alden Crossing. The west (front) elevation and east (rear) elevations are similar to the front and rear elevations (Option B) of Plan Type 3. The rear elevation has a gable roof placed more towards the center of the house whereas Plan Type 3 has it off-center to the right with a slightly larger gable. The south (right) side elevation deviates from Plan Type 3 in that, the first story building wall extends by approx. 3'-0" and has a gable roof whereas in Plan Type 3, the first and second story building walls are flush with a sliding glass door and arched windows. The roof forms also vary slightly in the south (right) elevation. The north (left) side elevation has one large gable roof with a portion of the second story gable visible whereas Plan Type 3 has two gable roofs intersecting and a lower side facing gable above the first story.

The approved Plan Type 3 for houses in Alden Crossing allows a maximum building height of 25'-0" whereas the proposed maximum building height is 25'-10". This modification was due to the increase in the first and second story plate heights from 8'-0” to 9'-0” in the current proposal. Staff recommends that the plate heights remain at 8'-0” in order to maintain the similar height and profile of Plan Type 3 and be compatible with other Plan Type 3 houses in the neighborhood. The proposed garage door does not match the approved Alden Crossing garage door prototype and needs to be modified. The applicant has also been notified previously that all submittal requirements as required under Chapter 16.32, Minor Land Division – Tentative and Final Maps of the Foster City Municipal Code and in accordance with the Subdivision Map Act as required by Public Works Engineering for the proposed lot split needs to be fulfilled.

Staff is seeking Commission feedback on the revised proposal. Staff has prepared the following questions to assist the Planning Commission’s discussion:
1. Is the revised design of the proposed house architecturally compatible with houses in the Alden Crossing Development?

2. Is the bulk and mass of the second story as modified acceptable?

3. Are the deviations in design (specifically on the north and south elevations) to the approved Plan Type 3 acceptable?

4. Are there any issues, concerns or general matters that members of the Commission would like to discuss or ask staff to review?

**NEXT STEPS**

If the Planning Commission determines that the proposed design is generally acceptable and once the application is deemed complete, staff will reschedule the matter for another Regular Meeting with a complete review of each elevation. The Commission can then review the plans and approve them or approve them with modifications.

If the Planning Commission determines that the proposed design is not acceptable, the applicant will have to decide whether to move forward to a Regular Meeting, and if not approved by the Commission, appeal the Commission’s decision to the City Council, or redesign the elevations per comments received from the Commission and as anticipated by the City’s Architectural and Solar Guidelines.

**INDIVIDUALS, ORGANIZATIONS, AND DOCUMENTS CONSULTED**

Arthur Lin, Applicant  
Dennis Norton, Architect  
City of Foster City General Plan  
City of Foster City Zoning Ordinance  
City’s adopted *Architectural and Solar Guidelines*  
Solar Impact Policy P-1-2000  
Alden Crossing Prototypes

**ATTACHMENTS**

Attachment 1: August 17, 2017 Planning Commission Staff Report  
Attachment 2: Approved Minutes of the August 17, 2017 Planning Commission Meeting  
Attachment 3: Alden Crossing HOA Approval Letter dated December 10, 2017  
Attachment 4: Exhibit showing comparisons in previous, current and Alden Crossing approved Plan Type 3 (Option B)  
Attachment 5: Neighbor Notification Forms and correspondences  
Attachment 6: Vicinity Map  
Attachment 7: Approved Plan Types for Alden Crossing  
Attachment 8: Previously Reviewed Plans by the Planning Commission on August 17, 2017  
Attachment 9: Latest plan submittal dated November 14, 2017
SPECIAL MEETING OF THE FOSTER CITY PLANNING COMMISSION

Council Chambers – 620 Foster City Boulevard -- Foster City

MINUTES

JANUARY 18, 2018

1. CALL TO ORDER

At 7:00 p.m. by Noemi Avram

2. ROLL CALL

Present: Commissioners Dyckman, Pattum, Williams, Wykoff and Chair Avram

Staff Present: Curtis Banks, Community Development Director; Marlene Subhashini, Planning Manager; Leslie Carmichael, Consultant Planner

3. COMMUNICATIONS FROM THE PUBLIC

1. None

4. CONSENT CALENDAR

1. SEPTEMBER 5, 2017 SPECIAL MEETING MINUTES

ACTION: Motion by Commissioner Williams, seconded by Commissioner Pattum, to approve the Minutes of September 5, 2017 Special Meeting, passed 3-0-2-0. (Avram, Dyckman)

2. DECEMBER 7, 2017 REGULAR MEETING MINUTES

ACTION: Motion by Commissioner Dyckman, seconded by Commissioner Wykoff, to approve the Minutes of December 7, 2017 Regular Meeting, passed 4-0-1-0. (Pattum)

5. CONTINUED PUBLIC HEARING

1. None

6. NEW PUBLIC HEARING

1. None

7. OLD BUSINESS

1. None

8. NEW BUSINESS

1. None
9. **STUDY SESSION**

1. **TO REVIEW LOT SPLIT PROPOSAL OF AN EXISTING 10,394 SQ. FT. LOT WITH AN EXISTING SINGLE FAMILY HOUSE IN THE ALDEN CROSSING PLANNED DEVELOPMENT INTO TWO (2) LOTS OF 5,249 SQ. FT. AND 5,145 SQ. FT. EACH AND CONSTRUCT A NEW TWO-STORY HOUSE OF 1,952 SQ. FT. FIRST STORY AND 1,007 SQ. FT. SECOND STORY ON THE NEW LOT – 390 BISCAYNE AVE – NEIGHBORHOOD 8 – DISTRESSED HOME SOLUTIONS, LLC – APN 094-950-380 – AR-16-057 AND RS-16-002**

The Planning Commissioners had the following comments:

- Three of the Commissioners were supportive of the changes made to the design and felt that it addressed most of their previous comments including massing and articulation
- Two Commissioners felt that the design of the house does not look like Plan Type 3 and is not harmonious with other houses in the neighborhood
- Two of the Commissioners mentioned that the height of the house should be lowered to be compatible with Plan Type 3
- One of the Commissioners mentioned that the design (e.g. garage door) needs to be per the approved prototypes for Alden Crossing and that a complete Solar Study needs to be provided
- One of the Commissioners recommended that the language and design intent from Alden Crossing homes be incorporated and made the following comments:
  - On the side elevation facing Port Royal, the window can be centered under the gable and the vent can be eliminated
  - On the rear elevation, the vent can be eliminated and better articulation can be provided including incorporating a generous gable that mimics Plan Type 3
  - Encouraged the use of round top transoms for fenestration similar to other houses in Alden Crossing and Plan Type 3


The Planning Commissioners had the following comments:

- Overall, the Commissioners were supportive of the project including the phased development, subject to the lot merger
- The Commissioners were supportive of the site layout, building orientation, height, parking and circulation
- One of the Commissioners recommended that the applicant revisit materials and colors

3. **TO REVIEW THE CONCEPTUAL SITE PLAN FOR PILGRIM TRITON PHASE C AS REVISED TO INCLUDE 22 UNITS OF WORKFORCE HOUSING AND 70 FOR-SALE TOWNHOUSE UNITS ON 4.78 ACRES TO REPLACE THE EXISTING ENTITLEMENT OF 225,943 SQ. FT. OF COMMERCIAL OFFICE AND 17 TOWNHOUSE UNITS IN THE PILGRIM TRITON MASTER PLAN DEVELOPMENT. THE 4.78 ACRE SITE INCLUDES 3.66 ACRES AT 551-565 PILGRIM DRIVE AND 1.12 ACRES AT 1159**
Dan Dyckman recused himself.

Consultant Planner Leslie Carmichael gave the Staff Report.

Andrew Turco, Sares Regis Group of Northern California, introduced the applicant’s team and made a presentation.

Nadine Maki, Shell Boulevard, spoke in favor of housing on the site.

The Planning Commissioners had the following comments:

- The proposed concepts include a base, a middle, but no diversity in the top.
- The corners with Calypso and Pilgrim need larger setbacks. Honor the relationships of the properties to the west and east. Don’t fill in the corners.
- Removing the bi-directional turn lane needs further study.
- For the park, show the barbecue. Include more artwork in the park and throughout the development.
- On East Hillsdale – there should not be a blank wall.
- One Commissioner expressed concerns with the change in land use/loss of commercial/office use.
- One Commissioner expressed concerns about on-street parking on Pilgrim Drive.
- One Commissioner was opposed to any reduction in parking.
- Two Commissioners expressed concerns about the elimination of the bocce ball court; one Commissioner thought the elimination of one court was acceptable.
- A play water area would not go over well.
- One Commissioner requested a better explanation of how the development will activate the streets and make complete streets.
- One Commissioner requested a diagonal to lead from the corner of Hillsdale and Pilgrim to the Park Plaza.
- One Commissioner requested a Park Plaza design that addresses both the residential and commercial areas.

10. COMMUNITY DIRECTOR REPORT

1. None

11. STATEMENTS AND REQUESTS FROM THE COMMISSIONERS

1. Commissioner Pattum had comments.

12. ADJOURNMENT

Adjourned at 9:03 PM to a February 15, 2018 Regular Meeting, Council Chambers, 620 Foster City Boulevard, Foster City, California.
PASSED AND ADOPTED by the Planning Commission of the City of Foster City at a Regular Meeting thereof held on February 15, 2018 by the following vote:

AYES, COMMISSIONERS: Dyckman, Pattum, Williams, Wykoff and Chair Avram

NOES, COMMISSIONERS:

ABSTAIN, COMMISSIONERS:

ABSENT, COMMISSIONERS:

ATTEST:

CURTIS BANKS, SECRETARY

NOEMI AVRAM, CHAIR
Winter Season

- Adjacent house receives direct sunlight from the south.
- Adjacent house receives direct sunlight during all daylight hours (7:21 am - 4:54 pm).
- Proposed construction will impact some windows on adjacent property.
- Rooms impacted include:
  - A (Multipurpose) and B (Stair Landing)
- Both rooms are impacted only during the winter season.
- Existing sunlight hours: A (12:10 pm - 4:54 pm) and B (12:10 pm - 4:54 pm)
- Sunlight hours lost: A (12:10 pm - 2:08 pm) and B (12:10 pm - 4:54 pm)
- Sunlight lost: A (1 hour 58 minutes) and B (4 hours 44 minutes).
- Sunlight retained: A (2 hours 46 minutes) and B (0 hour 0 minutes).
Summer Season

- Adjacent house receives direct sunlight from the south.
- Adjacent house receives direct sunlight during all daylight hours (5:48 am – 8:35 pm).
- Rooms are not impacted during the summer season.
Spring Season

- Adjacent house receives direct sunlight from the south.
- Adjacent house receives direct sunlight during all daylight hours (7:10 am – 7:22 pm).
- Rooms are not impacted during the summer season.
Fall Season

- Adjacent house receives direct sunlight from the south.
- Adjacent house receives direct sunlight during all daylight hours (6:56 am – 7:07 pm).
- Rooms are not impacted during the summer season.
PLANT SCHEDULE

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<th>Section</th>
<th>Note</th>
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<td>3.00</td>
<td>5.00</td>
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PLANTING NOTES

1. All existing trees, shrubs, and ground covers to remain shall be protected. Any damage caused by Contractor's work shall be repaired or replaced at the Contractor's expense and be approved by the Landscape Architect.

2. If soil to be used, spread 2.0 inches of compost over the surface of soil and incorporate into top 0.5 inches of planting area. If topsoil has been accepted and stored, mix one cubic yard of compost to 5.0 cubic yards of topsoil before re-enabling.

3. After amending soil, grade all areas smooth with no localized depressions exceeding 5 inches. All areas shall surface drain with 1.5 percent minimum slope away from all buildings, pavements, or other structures.

4. Quantities are for aekeging only. Contractor shall verify all quantities.

5. Contractor shall lay out plant material as per plans and receive approval from landscape architect prior to installation.

6. No plants shall be planted with root balls or new pits in a dry condition.

7. Place all planters in proper planting hole. Be sure to fill space with grade soil and areas thoroughly.

8. Do not amend soil to beyond initial topsoil amending unless noted.

9. All newly planted areas shall be staked by deep planting within 3 months of planting.

10. All amending areas shall receive 2.0 inches of amendment to the top soil density (soil mix).

11. Contractor shall be responsible for bringing all new plant material until the entire project is been approved and accepted by owner.

12. Thirty days after planting, Contractors shall contact and straighten all trees as necessary to be approved by Landscape Architect.
OWNER'S CERTIFICATE

WE THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY ENCLOSED WITHIN THE SUBDIVISION SHOWN ON THE TYPED-PRINTED MAPS AND PLANS HERETO ATTACHED, AND THAT WE HAVE CONSENTED TO THE PREPARATION AND RECORDATION OF THIS MAP AND SUBDIVISION, AND THAT WE CONSENT TO THE USE OF OUR NAME AND ADDRESS BY THE SATELLITE COMPANY FOR PURPOSES OF IDENTIFICATION.

AS OWNERS,

FORT CITY ENTERPRISES

A CALIFORNIA LIMITED PARTNERSHIP

BY

AS GENERAL PARTNER,

STEVEN N. BARGER

A CALIFORNIA CORPORATION

AS TRUSTEE:

STORM TITLE INSURANCE

A CALIFORNIA CORPORATION

BY

JAMES J. FRANK

ASSISTANT VICE PRESIDENT

STATE OF CALIFORNIA
COUNTY OF SAN MATEO

ON THIS 29TH DAY OF APRIL, 1994, IN THE YEAR OF CHRIST,

BEFORE ME, STEVEN N. BARGER, PERSONALLY APPEARED

JAMES J. FRANK, TRUSTEE, AS TRUSTEE; AND STEVEN N. BARGER, AS GENERAL PARTNER.

AND THERE TO HELP, I, STEVEN N. BARGER, PERSONALLY APPEARED

AS TRUSTEE.

WITNESSES TO THE PRESENTATION OF THIS CERTIFICATE: STEVEN N. BARGER, AS GENERAL PARTNER.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE INFORMATION AND DOCUMENTS HEREIN CONTAINED IS TRUE AND CORRECT.


NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

CITY CLERK'S CERTIFICATE


CITY CLERK OF THE CITY OF FOSTER CITY

CITY ENGINEER'S CERTIFICATE

THIS MAP CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: OCTOBER 29, 1993

SIGNED:

CITY ENGINEER

DATE: OCTOBER 29, 1993

SURVEYOR'S CERTIFICATE

I, WILLIAM B. HASTINGS, A LICENSED LAND SURVEYOR IN THE STATE OF CALIFORNIA, HEREBY CERTIFY THAT THIS MAP CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: OCTOBER 29, 1993

SIGNED:

LAND SURVEYOR

DATE: OCTOBER 29, 1993

SOILS NOTE

A SOILS REPORT HAS BEEN PREPARED BY THE FIRM OF

ANDOER AND ANDERSON, INC., AND IS ATTACHED.

PLANNING DIRECTOR'S CERTIFICATE

THIS MAP CONFORMS TO THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE.

DATED: NOVEMBER 13, 1993

SIGNED:

PLANNING DIRECTOR

DATE: NOVEMBER 13, 1993

TRACT 112-85

BEING A PORTION OF PARCEL B OF PARCEL MAP 55-84
RECORDED IN VOLUME 55 OF PARCEL MAPS AT PAGE 18
AND A PORTION OF LOT A AS SHOWN ON TRACT 103-84
RECORDED IN VOLUME 112 OF SUBDIVISION MAPS AT
PAGE 1B AND LOT A AS SHOWN ON TRACT 108-84
RECORDED IN VOLUME 112 OF SUBDIVISION MAPS AT
PAGE 85. SAN MATEO COUNTY OFFICIAL RECORDS.

FOSTER CITY
SAN MATEO COUNTY
CALIFORNIA

MARCH, 1986

WILSEY & HAM
1080 EAST MILLER BLDG
FOSTER CITY, CALIFORNIA 94401
(415) 388-7161

SCALE: 1" = 80'

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PARCEL MAP

OWNERS'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR HAVE SIGHT RIGHTS, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN ON THE MAP, THAT WE ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS A CLEAR TITLE TO SAID REAL PROPERTY, AND THAT WE HEREBY CONSENT TO THE MAKING OF SAID MAP AND SUBDIVISION AS SHOWN BEING THE DISTRICTED BOUNDARIES LINE AND ALL EXCERPTS AND OFFERS OF DESTINATION THEREFOR.

AS OWNER: DISTRESSED HOME SOLUTIONS, LLC

DATE: ____________________________

OWNERS'S ACKNOWLEDGMENT

A NOTARY PUBLIC ON OATH HEREFORTH CERTIFY, RECEIVED ONLY THE IDENTIFICATION OF THE INDIVIDUAL WHO SIGNED THIS DOCUMENT AS WE HAVE THE KNOWLEDGE THAT THE PERSON(S) WHO SIGNED THIS DOCUMENT IS AUTHORIZED TO EXECUTE THE SAME. THE NOTARY HAS NOT BEEN HANDED ANY SUBMISSION OR DOCUMENTS FROM THE ENTRUSTED PERSON(S), OR OATH UPON BEHALF OF THE PERSON(S) WHO SIGNED THIS DOCUMENT.

STATE OF CALIFORNIA
COUNTY OF SAN BERNARDINO

ON, 20, BEFORE ME, ____________________________, A NOTARY PUBLIC PERSONALLY APPEARING AND PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WRITTEN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT HE/SHE/ THEY HAD THE AUTHORITY TO SIGN THE SAME IN HIS/HER/ THEIR AUTHORIZED CAPACITY(IES) ON THE INCUMBENT PERSON(S) OR ENTITY UPON BEHALF OF THE PERSON(S) WHO SIGNED THIS DOCUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND.

NOTARY'S SIGNATURE: ____________________________

NOTARY'S NAME: ____________________________

NOTARY'S OFFICE: ____________________________

CITY CLERK'S STATEMENT

I, PATRICIA TAM, CITY CLERK OF THE CITY OF FOSTER CITY, STATE OF CALIFORNIA, HEREBY CERTIFY THAT THE CITY COUNCIL OF SAID CITY, AT ITS REGULAR MEETING HELD ON THE ________ DAY OF _____________, 20__, ADVANCED THE MAP SHOWN HEREBY, AUTHORIZED ITS RECORDATION AND IS TO BE FILED ON BEHALF OF THE PUBLIC. ALL PARCELS OF LAND ORIGINALLY PREPARED FOR PUBLIC USE IN COMFORMITY WITH THE TERMS OF SAID CITIES OF DEDICATION:

DATE: ____________________________

PATRICIA TAM
CITY OF FOSTER CITY, CALIFORNIA

NOTES: SOILS REPORT

A SOILS REPORT ON THIS PROPERTY HAS BEEN PREPARED BY TAPP & ASSOCIATES, INC., PROJECT NO. 13-01, DATED 04/20/2014, A COPY OF WHICH HAS BEEN FILED WITH THE CITY OF FOSTER CITY.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEYOR'S ACT AND LOCAL ORDINANCE AT THE REQUEST OF ARTHUR W. ON APRIL 2008. I HEREBY STATE THAT ALL THE MARKINGS AND OF THE CHARACTERS ARE IN THE POSITIONS INDICATED ON THEM THEY WILL BE IN SUCH POSITIONS BEFORE JUNE 30, 2008, AND THAT THE MARKINGS ARE, OR WILL BE SUITABLE TO MAKE THE SURVEY TO BE READABLE, AND THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONAL APPROVED SUBDIVISION PLAT.

DATE: ____________________________

ROBERT D. CAMERON, PLS R8535

TECHNICAL REVIEWER'S STATEMENT

I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

DATE: ____________________________

ROBERT D. CAMERON, PLS R8535

APPROVAL BY THE DIRECTOR OF PLANNING

I, ____________________________, DIRECTOR OF PUBLIC WORKS OF THE CITY OF FOSTER CITY, CALIFORNIA, HEREBY APPROVE THIS PARCEL MAP WHICH HAS BEEN CHECKED AND COMPLIES WITH THE CURRENT MAP AND ITS CORDON ONS APPROVED ON THE _______________ DAY OF _____________, 20__.

DATE: ____________________________

DIRECTOR OF PUBLIC WORKS OF THE CITY OF FOSTER CITY, CALIFORNIA

RECORER'S STATEMENT

FILE NO. ____________________________

PAY $ _________ TO RECORD.

PAGE ACCEPTED FOR RECORD AND FILED THIS _______________ DAY OF _____________, 20__ AT __________ W.

RECORD AT _______________ SHEETS, AT PAGE _______________ IN SAN MATEO COUNTY RECORDED. AT THE REQUEST OF DISTRESSED HOME SOLUTIONS, LLC.

MARY CHURCH, COUNTY RECORDER
SAN MATEO COUNTY, CALIFORNIA

DATE: ____________________________

MARY CHURCH, COUNTY RECORDER
SAN MATEO COUNTY, CALIFORNIA

DATE: ____________________________

133
TO: FOSTER CITY PLANNING COMMISSION

PREPARED BY: JENNIFER L. LIU, PARKS AND RECREATION DIRECTOR

PROJECT: RECREATION CENTER MASTER PLAN CIP 301-678

OWNER: CITY OF FOSTER CITY

PROJECT LOCATION: 650 SHELL BOULEVARD

REQUESTED ACTION/PURPOSE

The purpose of this item is for the Planning Commission to receive an update regarding the outcomes of the Pre-Design Phase of the Conceptual Design Planning process for the Recreation Center Master Plan Project CIP 301-678.

BACKGROUND

The Recreation Center opened to the public in 1974. Due to its location as a central amenity in Foster City’s “crown jewel” Leo J. Ryan Park, the William E. Walker Recreation Center is a hub of activity in the Foster City community. The current need for significant structural upgrades to this aging facility has dictated the timing for a conversation about achieving the best and highest use of the Recreation Center facility and its surrounding park amenities.

At this time, the City Council is considering facility replacement versus repair options. To inform this decision, in April 2018 the City entered into an agreement with Burks Toma Architects to provide Conceptual Design Services for replacement of the Recreation Center facility and its integration with the surrounding park. The agreement Scope of Work included ten (10) deliverables. On Monday, September 17, 2018, BTA and the Parks and Recreation Department reported out to the City Council regarding the first four (4) deliverables, which encompass the pre-design phase.

ANALYSIS

The pre-design reports form the foundation upon which the Conceptual Design alternatives will be prepared. The City is seeking to keep all stakeholder groups, including the Planning Commission, appraised of the progress of the project as milestones are achieved and to ensure that feedback from all stakeholders is received and incorporated into the final project.

Tonight’s presentation will give the Planning Commission as snapshot of the conclusions of the Conceptual Design process Pre-Design phase findings and the City Council’s direction based upon the Pre-Design findings.

Attached for the Planning Commission’s information is the report that went to the City Council, which includes the Executive Summary from the Pre-Design reports as an attachment.
NEXT STEPS

Based upon the findings of the Pre-Design phase and the City Council’s comments at the September 17, 2018 meeting, BTA is preparing three Preferred Conceptual Alternatives which are scheduled to be presented to the Planning Commission in a joint meeting with the Parks and Recreation Committee on October 18, 2018.

ATTACHMENTS

Attachment 1: Staff Report from City Council Meeting on September 17, 2018 (including attachment)
DATE:        September 17, 2018

TO:         Mayor and Members of the City Council

VIA:        Jeff Moneda, City Manager

FROM:       Jennifer Liu, Parks and Recreation Director

SUBJECT:    RECREATION CENTER MASTER PLAN UPDATE: PREDESIGN
            TASKS TO CONCEPTUAL DESIGN EXISTING CONDITIONS

RECOMMENDATION

It is recommended that the City Council, by Minute Order, receive the report and
confirm that the Recreation Center Master Plan Conceptual Design Project predesign
data and information contained therein is sufficient to commence the development of
the Recreation Center Master Plan Conceptual Designs.

EXECUTIVE SUMMARY

In April 2018, the City Council approved an agreement with Burks Toma Architects to
provide Conceptual Design Services for the Recreation Center Master Plan and
Adjoining Park Site. At tonight’s meeting, the Project Team, headed by Burks Toma
Architects, will make an oral presentation summarizing the predesign findings. This will
provide an opportunity for City Council and stakeholder input on this phase in
preparation for commencement of the conceptual design development phase.
Attachment 1 to this Staff Report is the Predesign Executive Summary Report which
provides an overview of the comprehensive reports identified as deliverables in the
Conceptual Design Scope of Work:

- Project Schedule
- Project Climate/Trend Report
- Gap Analysis and Facility Needs, Programmatic Viability, and Fiscal Viability
  Report
Opportunities and Constraints of the Site/Geographic Location Report

These reports, which incorporate the input received through the Community Input phase as well as meetings with City Council and City staff and research on facility trends and opportunities, form the foundation upon which the Conceptual Design alternatives will be prepared. City Council input and feedback, particularly on program components and site opportunities are essential at this stage in order to ensure that the outcome of the Conceptual Design process is responsive to the Community and City Council’s expectations.

BACKGROUND

The Recreation Center opened to the public in 1974. Due to its location as a central amenity in Foster City’s “crown jewel” Leo J. Ryan Park, the William E. Walker Recreation Center is a hub of activity in the Foster City community. The current need for significant structural upgrades to this aging facility has dictated the timing for a conversation about achieving the best and highest use of the Recreation Center facility and its surrounding park amenities.

The evaluation of the Multi-Use Recreation/Community Facility and Adjoining Park has been carried out in a phased approach, in which each phase builds upon the other. First, the City solicited and received extensive public input regarding the Community’s recreation programming and facility needs. Based upon the input from the Community Input Phase, the City issued a Request for Proposals (RFP) at its Regular Meeting on December 18, 2017 and approved an agreement with Burks Toma Architects in April 2018 to provide Conceptual Design Services.

ANALYSIS

The Scope of Work for the Multi-Use Recreation/Community Facility and Adjoining Park Conceptual Design Plans includes ten (10) deliverables and requires check-ins with the City Council and other stakeholder groups at defined intervals. Tonight’s presentation fulfills the first scheduled check-in with the City Council based upon completion of the first four (4) deliverables which encompass the predesign phase.

The Project Team headed by Burks Toma Architects will make a verbal presentation, summarizing the predesign findings at the City Council meeting.

These reports together form the foundation upon which the Conceptual Design alternatives will be prepared in the coming months. City Council input and feedback on the predesign information findings are essential in order to ensure that the final outcome of the Conceptual Design process is a product that is responsive to the
Community and City Council’s expectations.

FISCAL IMPACT

The City Council previously authorized the agreement with Burks Toma Architects for Conceptual Design Services in the amount of $296,927, which includes the production and presentation of these reports. There is no additional fiscal impact to accepting the Predesign Executive Summary Report.

Attachments:

- Attachment 1 - Predesign Executive Summary Report
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CONCEPTUAL DESIGN PLANS FOR MULTI-USE RECREATION/COMMUNITY FACILITY AND PARK
CITY OF FOSTER CITY

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1. **Predesign Scope & Purpose**

1.1 **BACKGROUND**

The Parks & Recreation Department occupies a central place in the Foster City Community. Parks and park facilities are heavily used, and greatly loved. However, Foster City’s current Recreation Center requires significant renovation work and is currently limited in its capacity to adapt to growing and changing community needs. From 2016-17, Foster City conducted a Community Outreach study to identify the scope of potential renovation work, as well as the current needs and priorities of the community. Building on that study, the City has authorized the development of Conceptual Plans for a new Recreation/Community Facility, which includes an initial Predesign phase, and a subsequent Concept Design Phase. The process will focus on clarifying potential approaches for a new recreation/community facility in Leo J. Ryan Park, in order to allow for informed decision-making by the City Council. This report provides an overview of the Predesign process conducted as part of that Concept Design Scope, and summarizes the key conclusions that will inform the subsequent development of three Concept Alternatives for City review.

1.2 **PREDESIGN PHASE SCOPE**

The primary goal of any Predesign phase is to develop a shared understanding of the variables shaping a project. The Predesign phase serves to identify key project criteria and to guide subsequent design development. For the Recreation Center, Predesign included analysis of the following criteria:

- Physical: space requirements and constraints
- Programmatic: activities and functional requirements
- Fiscal elements: demographic growth and change, costs, revenue opportunities

**Figure 1** Scope of Work

A series of workshops were held over the course of three months, allowing the Design Team to gather input from stakeholders and staff, and to refine project assumptions.
1.3 PURPOSE

The key outcomes of this Predesign process were:

- To establish a comprehensive list of programmatic elements ("Building Blocks") desirable for inclusion in a new Recreation/Community Facility.
- To establish potential sites for facility location within Leo J. Ryan Park.

It is important to note that both site options and program options remain comprehensive at this stage. It is not assumed that all program elements will be incorporated into all Alternatives. The development of Concept Alternatives in the next phase will provide an opportunity to combine program elements in different ways. Similarly, the site parameters identified during Predesign will inform a more detailed siting and organizational approach to the facility as each Concept Alternative is developed.
2. Programmatic Elements

2.1 PROCESS

Predesign included an initial survey of demographic and economic conditions within Foster City, which will inform both current and future community needs.

Key findings included:

- The City should be sizing facilities to handle a population that is at least 10% larger than today, accommodating an additional 3,000 to 4,000 new residents by the year 2040.
- In 2040, Foster City will continue to be a highly diverse community, racially and culturally, and the mixing of these global communities is likely to accelerate.
- As is the case today, education and recreation programs will need to accommodate a wide range of English language skill levels, income levels, and ages.
- Given the ongoing growth and transformation in Foster City, flexibility, in both capacity and type of spaces, will be critical to ensure that a new facility can continue to meet changing community needs over the next 50 years.

The proposed collection of desirable functions and activities was developed using a range of methodologies and input from a variety of sources:

- Public Outreach results (2017 RJM process)
- Existing Conditions Survey
- Benchmark Projects
- Staff input and review
- Stakeholder workshops

Based on staff input and review of comparable facilities, each type of program space was sized to accommodate the range of anticipated uses. These spaces are described in Figure 2, Building Blocks. Each was then analyzed for its fiscal and organizational impact on Foster City’s Recreation Department. A summary of this analysis can be found in Table 1, Comparison Matrix.

During Concept Design, the Design Team and City stakeholders will collaborate to identify appropriate combinations of spaces, i.e. Building Blocks, for each Concept Alternative.
2.2 BUILDING BLOCKS

The wide variety of spaces and programmatic elements have been conceptually clustered into “building blocks” of spaces that share similar characteristics and use patterns so that they can be analyzed as a group. These diagrams also serve to graphically illustrate the relative space requirements associated with each activity and space.

Figure 3 – Programmatic Building Blocks

<table>
<thead>
<tr>
<th>Building Block</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Multi-purpose spaces</td>
<td>Classes, meetings, events</td>
</tr>
<tr>
<td>2 Event Spaces</td>
<td>Weddings, events, meetings, speakers</td>
</tr>
<tr>
<td>3 Gymnasium</td>
<td>Drop-in games, sport &amp; fitness, fitness classes, large events</td>
</tr>
<tr>
<td>4 Food Service</td>
<td></td>
</tr>
<tr>
<td>5 Dance / Movement</td>
<td>Dance, martial arts classes</td>
</tr>
<tr>
<td>6 Art &amp; Making</td>
<td>Ceramics, painting, arts classes</td>
</tr>
<tr>
<td>7 Education / Preschool</td>
<td>Preschool, after-school programs</td>
</tr>
<tr>
<td>8 Theater / Performance</td>
<td>Professional theater partnership</td>
</tr>
<tr>
<td>9 Kitchens</td>
<td>Catering, teaching</td>
</tr>
<tr>
<td>10 Welcoming General Public Space</td>
<td>Community living room, lobby, reception, drop-in meetings</td>
</tr>
</tbody>
</table>

Additional space requirements for an eventual facility include support spaces such as restrooms, storage, and circulation areas. Parking requirements are addressed in Section 3, Site Analysis.
**FIGURE 3: PROGRAMMATIC BUILDING BLOCKS (1)**

### 1 Multi-purpose spaces
- (4) Large Meeting Spaces @ approx. 1,200 SF
- (4) Medium Meeting Spaces @ approx. 750 SF
- (2) Small Meeting Spaces @ approx. 500 SF

- Quantity & size roughly equivalent to existing spaces
- Exact room sizing will vary as design develops
- Providing additional dedicated program spaces (i.e., art, dance spaces) may change overall quantity and type of multipurpose spaces provided

### 2 Event Spaces
- Large Flexible Event Space (banquet capacity 250) @ approx. 3,500 SF
- Extra Large Flexible Event Space (banquet capacity 350) @ approx. 5,000 SF

- Large space equivalent to existing event space (Lagoon Room)
- Substantial demand on existing space for both events and Recreation programming
- Currently no public facility in Foster City can support extra-large capacity events

### 3 Gymnasium
- Gymnasium @ 8,000 SF
- Support Space @ 1,200 SF includes changing area, storage. Exact size to be determined as design develops

- New space, not in current facility
- No public indoor court space currently available in Foster City
- Potential to support very large rental events

### 4 Food Service
- 4(a) Building Cafe/Snack Bar (no dedicated seating) @ 500 SF
- 4(b) Full-service restaurant (250 person capacity) @ 4,000 SF
- 4(c) Outdoor Cafe/Beer Garden (100 person capacity) @ 100 SF built space, 2,000 SF outdoor space

- New space, not in current facility
- Range of potential options for providing food service
- Appropriate type of space to be evaluated and selected as design develops

### 5 Dance / Movement
- Movement Studio @ 1,500 SF

- New dedicated space; current classes use multi-purpose rooms
- Equipped with mirrors, barres, specialty flooring
- Sized to allow limited performance with temporary seating
6 Art & Making
- Dedicated Hillbarn Space
  - 250-seat Performance Space @ 4,000 SF
- Production Support Spaces @ 7,000 SF
- Teaching Kitchen @ 1,600 SF
- Commercial Kitchen @ 1,050 SF

7 Education / Preschool
- Preschool space roughly equivalent to existing area
- Preschool @ 1,500 SF

8 Theater / Performance
- Expansion of existing ceramics facility to meet high demand
- New dedicated space for other art activities; current classes use multi-purpose rooms
- Improved infrastructure & finishes within Event Space
- Art Studio @ 1,000 SF
- Ceramics Studio @ 2,000 SF with outdoor work area @ 2,000 SF
- Gallery @ 350 SF
- Art Studio @ 1,000 SF
- Includes: control booth, box office, lobby, dressing rooms & green room, offices, production shop space, prop/costume/set storage, rehearsal space
- Lobby @ 1,500 SF
- Reception Desk @ 125 SF
- Drop-in Small Meeting Spaces @ 500 SF
- Drop-in Small Meeting Spaces @ 500 SF

9 Kitchens
- Quantity of spaces equivalent to current facility
- Increased size allows for improved function and usability
- Teaching Kitchen @ 1,600 SF
- Commercial Kitchen @ 1,050 SF

10 Welcoming Public Space
- Exact size and configuration will vary based on conceptual building layouts
- Size of lobby/reception area is roughly equivalent to existing facility
- Reception Desk @ 125 SF
- Lobby @ 1,500 SF
- Drop-in Small Meeting Spaces @ 500 SF

LEGEND
- Existing Space
- New Space

OPTIONS
- New space, not in current facility
- Options represent different potential approaches for providing performance capacity.
- Appropriate type of space to be evaluated and selected as design develops
2.3 COMPARISON MATRIX

The Programmatic Building Blocks have been analyzed with regards to their fiscal impact, allowing the City to evaluate and select a narrower range of feasible program elements for further development and eventual inclusion in some or all of the Conceptual Design Alternatives. Each one is analyzed in turn according to criteria that include:

- **Characterization of the anticipated change** – Does this program element merely replace what exists today in the current recreation center? Does it expand in number or in scale what is currently offered? Does it add an entirely new program element to the recreational offering of Foster City?

- **Impact on staffing** – While simply replacing existing facilities with new ones may have minimal or even no impact at all on staff requirements, expansions in facilities could require minor increases in demand for staffing. In other cases, especially where new program elements are being added, there may be a need to hire additional staff. There may also be need to recruit new hires with specialized expertise that is not within the capabilities of current staff.

- **Revenue potential** – Does the proposed program have the potential to generate revenue, either through provision of Recreation Department programs or through rentals of facilities to other users (which could help offset any associated additional staff costs)?

- **Operating and Maintenance (O&M) cost compared with current operations** – Using the current ongoing O&M patterns of the Recreation Center as a baseline, does the candidate program element create a larger or different kind of O&M burden on the department? It is also possible that some of the new facilities will be more efficient, resilient, or durable in ways that will reduce ongoing O&M costs.

- **Planning level range in capital costs** – The building blocks are not all equal in size, nor in complexity. As a result, they will have very different costs to develop. Even though much will be done in the design phase to mitigate costs and search for cost efficiencies, it is still useful in early planning to have a basic understanding of which elements will cost more than others. It is also helpful to think through which program elements can be scaled up or down to stay within development budgets, and which must be built as all-or-nothing program components.

To provide a means to compare eventual capital costs in this early planning stage, a simple metric has been used in the discussions and comparison chart below. A range of hard costs assumes the space requirements in each program element might cost between $600 and $800 per square foot to build. To this has been added a factor for public restrooms, storage, circulation, utility closets, staff offices and other building space needs. Another factor is then applied to account for furniture, fixtures and equipment (FF&E), which will vary significantly according to the complexity and specialization of the program elements. The index range thereby created is then described as the following categories:
These numbers are intended to provide a rough order of magnitude for early planning and comparison purposes. They should not be considered construction cost estimates (for example they do not include soft costs, construction contingencies, or financing costs.) A true construction cost estimate will be provided for each Concept Alternative in Phase 2.

- A final metric evaluates these building blocks according to the degree to which they are directly related to Parks and Recreation Department functions. This evaluation scale was discussed and refined during Working Group Meeting #3.

3 = Directly related to Parks & Recreation Department functions
2 = Indirectly related to Parks & Recreation Department functions
1 = Not directly related to Parks & Recreation Department functions

The color-coding of the table indicates an initial assessment of program elements as Building Blocks which either reflect current programs (green), represent new Recreation Department programs (yellow), or represent new independent partnerships (orange). At this time, no program elements have been eliminated, but not all components will be incorporated into all three Concept Alternatives.

TABLE 1 – COMPARISON OF PROGRAM ELEMENTS
<table>
<thead>
<tr>
<th>#</th>
<th>Program Element</th>
<th>Characterization of Anticipated Change</th>
<th>Staffing Impact</th>
<th>Revenue Potential</th>
<th>O&amp;M Impact</th>
<th>Capital Cost</th>
<th>Directly Relates to Parks &amp; Recreation Dept. Functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Multi-purpose spaces</td>
<td>Replacement in Kind</td>
<td>Minimal</td>
<td>Moderate</td>
<td>Neutral</td>
<td>$$$</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>Event Spaces</td>
<td>Replacement and Expansion</td>
<td>Minor Increase</td>
<td>High</td>
<td>Minor Increase</td>
<td>$$$</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>Gymnasium</td>
<td>NEW Program Element</td>
<td>Noticeable Increase</td>
<td>Moderate to High</td>
<td>Significant Increase</td>
<td>$$$</td>
<td>3</td>
</tr>
<tr>
<td>4a</td>
<td>Food Service: Cafe/ Snack Bar</td>
<td>NEW Program Element</td>
<td>Minimal</td>
<td>Little Revenue / Risk of Major Loss</td>
<td>Depends on Business Model</td>
<td>$</td>
<td>2</td>
</tr>
<tr>
<td>4b</td>
<td>Food Service: Full Service Restaurant</td>
<td>NEW Program Element</td>
<td>Minimal</td>
<td>Little Revenue / Risk of Minor Loss</td>
<td>Partner Responsible for Most Costs</td>
<td>$$$</td>
<td>1</td>
</tr>
<tr>
<td>4c</td>
<td>Food Service: Outdoor Cafe / Beer Garden</td>
<td>NEW Program Element</td>
<td>Minimal</td>
<td>Little Revenue / Risk of Minor Loss</td>
<td>Partner Responsible for Most Costs</td>
<td>$</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>Dance / Movement</td>
<td>ADDS Dedicated Space for Existing Program</td>
<td>Minimal</td>
<td>Moderate</td>
<td>Neutral</td>
<td>$</td>
<td>3</td>
</tr>
<tr>
<td>6</td>
<td>Art &amp; Making</td>
<td>Replacement in Kind ADDS Dedicated Space for Existing Program</td>
<td>Minor Increase</td>
<td>Moderate</td>
<td>Neutral</td>
<td>$</td>
<td>3</td>
</tr>
<tr>
<td>7</td>
<td>Education / Preschool</td>
<td>Replacement in Kind</td>
<td>Minimal</td>
<td>Moderate</td>
<td>Neutral</td>
<td>$</td>
<td>3</td>
</tr>
<tr>
<td>8a</td>
<td>Theater / Performance: Dedicated Theater</td>
<td>NEW Program Element</td>
<td>Depends on Business Model</td>
<td>Little Revenue</td>
<td>Partner Responsible for Most Costs</td>
<td>$$$$</td>
<td>1</td>
</tr>
<tr>
<td>8b</td>
<td>Theater / Performance: Enhanced Event Space</td>
<td>NEW Program Element</td>
<td>Minor Increase</td>
<td>Little Revenue</td>
<td>Minor Increase</td>
<td>$</td>
<td>2</td>
</tr>
<tr>
<td>9</td>
<td>Kitchens</td>
<td>Replacement in Kind</td>
<td>Minimal</td>
<td>Moderate</td>
<td>Minor Increase</td>
<td>$$$</td>
<td>3</td>
</tr>
<tr>
<td>10</td>
<td>Welcoming Public Space</td>
<td>Replacement in Kind NEW Program Element</td>
<td>Minimal</td>
<td>Little Revenue</td>
<td>Minor Increase</td>
<td>$</td>
<td>2</td>
</tr>
</tbody>
</table>
3. Site Analysis

3.1 PROCESS

In parallel with the development of programmatic Building Blocks, a process of site analysis identified defining site factors that might shape both the location and organization of any future facility. As the “jewel” of Foster City, Leo J. Ryan Park holds a significant place in both experience and perceptions of city residents. In order to develop a shared collective understanding of key site characteristics, the Design Team and City stakeholders conducted a “Site Awareness Walk”, on which participants observed the experiential qualities of various park sites as described in Figure 2. These observations formed the basis for a subsequent analysis of potential building sites within the park.

Figure 4 – Site Awareness Walk Map
3.2 SITE APPROACH

Key observations from Awareness Walk

A detailed diagram of specific observations is provided in Figure 3. More broadly, a number of common themes emerged from the site walk and discussion.

- The waterfront areas of the park provide a unique and highly valued experience of tranquility and escape.
- Within the park, individual destinations are experienced as disjointed and disconnected. While this quality can lend itself to a feeling of discovery, it can also serve to inhibit casual exploration and ease of use.
- While the park occupies a prominent position within the downtown, it lacks connections to adjacent uses. Traffic flow along adjacent streets is a significant barrier.

Figure 5 – Site Observations

Assumptions

W have limited detailed analysis of potential sites to the portion of the park east of the amphitheater, due to access and parking constraints. The western half of the park is narrower and does not have adequate or appropriate space for the new facility or its required parking. It is also assumed that existing prominent park features, such as the gazebo, Amphitheater, and Vibe Teen Center will not be moved for any new construction.

For the purposes of this site analysis, the site elements included:

- Building: +/- 50,000 SF (Note that depending on program elements selected, this area could increase. However, as building could be either one- or two- story, the actual footprint on-site might be less.) Current Recreation Center is 36,000 SF.
- Parking: +/- 250 spaces (Note that depending on program elements selected, this quantity could increase.) Current parking total is 186 spaces in primary and Senior Wing lots.
- Active Outdoor Program Space: this area includes multi-use field space, appropriate for special events, recreation programming, and informal sport uses (the Meadow) as well as other identified amenities such as an outdoor event venue, bocce courts, pop-up vendor area, interactive play elements, and outdoor café seating, etc.

Factors for Analysis

In developing the analysis for potential facility locations, the following factors were reviewed:

- Spatial Constraints: Constraints to building footprints include existing park features that will not be removed, such as the mounded area associated with the tree grove, Veteran’s Wall, and amphitheater. The existing facility is also considered a constraint to the building footprint should it be retained for use during construction of the new facility.
- Constructability & Phasing: Some areas of the park allow the potential for the existing facility to be utilized during construction of the new facility.
- Noise: The level of noise generated by adjacent streets, and especially East Hillsdale Boulevard is anticipated to be the primary noise nuisance. Facility site locations further from East Hillsdale Boulevard and/or closer to the lagoon are less affected by street noise.
- Waterfront Engagement Opportunities: While the design of the facility will determine how it relates to the lagoon, the potential for the facility to directly front and engage the lagoon varies based on the inherent spatial constraints of each Opportunity Zone.
- Facility Visibility: Facility Visibility refers to visibility of the facility from adjacent uses, including the Civic Area (Library and Community Center) and Foster Square.
- Connections within the Park: The relationship between the facility and existing park features (including the Vibe Teen Center and the Amphitheatre) will be directly affected by the facility location. For instance, adjacent uses generally provide great opportunities for coordinated programming and direct access.
- Connections outside the Park: Opportunities for access and connectivity between the facility and adjacent uses, including the Civic Area and Foster Square, also vary depending on the proximity of the facility to these uses and key access points.
- Site Identity: The proximity of the facility to existing features and facilities may influence the overall identity of the site. For instance, locating the facility in proximity to active recreation areas provides an opportunity to create a strong recreational identity for the facility.

### 3.3 OPPORTUNITIES & CONSTRAINTS BY ZONE

Based on preliminary analysis and feedback from Working Group Meeting #5 (8/15/2018), two “opportunity zones” have been identified as potential building sites. Both of these sites fulfill key requirements for the Recreation Center enabling significant Lagoon engagement, and maintaining important public views of open space and parkland. These are described in Figures 6 & 7, following.

#### ZONE A

Key opportunities of Zone A include potential for direct connections with the Amphitheater and Grove, as well as relative prominence and centrality of the facility location. Potential constraints include the likely need to relocate Recreation functions during construction, and potential disconnect between park areas on either side of the building.

**Figure 6 – Zone A Opportunities & Constraints**

#### ZONE B

Key opportunities of Zone B include the consolidation of Recreation activities into a central park destination, and the creation of an extended unified outdoor space for events and activities. Potential constraints include the relative distance and lack of visibility from downtown and other park locations.
## 3.4 COMPARISON MATRIX

<table>
<thead>
<tr>
<th>Table 2</th>
<th>COMPARISON MATRIX OF SITE CHARACTERISTICS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Zone A</td>
</tr>
<tr>
<td>Spatial Constraints</td>
<td>Somewhat constrained</td>
</tr>
<tr>
<td>Constructability</td>
<td>Need to relocate temporarily</td>
</tr>
<tr>
<td>Noise</td>
<td>Moderate</td>
</tr>
<tr>
<td>Waterfront Engagement</td>
<td>Expansive</td>
</tr>
<tr>
<td>Facility Visibility</td>
<td>Visible from Civic area &amp; Foster Square</td>
</tr>
<tr>
<td>Connections within Park</td>
<td>Direct connection to amphitheater</td>
</tr>
<tr>
<td>Connections outside Park</td>
<td>Enhanced connection to Civic area &amp; Foster Square</td>
</tr>
<tr>
<td>Site Identity</td>
<td>Civic - focused</td>
</tr>
</tbody>
</table>
4. **Next Steps**

Following the Predesign Phase, the Design Team will continue collaboration with the City to identify three appropriate Concept Alternatives, combining programmatic Building Blocks with a site location. These will be refined over several workshops, and will be presented to City Council on 10/29/2018. Subsequent cost and fiscal analysis will provide additional information to inform City decision-making. Final Alternatives with associated costs will be presented to City Council on 11/26/2018.