

*City of Foster City*

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD  
FOSTER CITY, CA 94404-2222

FOSTER CITY  
RECEIVED

MAR 11 2015

PLANNING/  
CODE ENFORCEMENT

CITY OF FOSTER CITY  
COMMUNITY DEVELOPMENT DIRECTOR'S ACTION  
NOTICE OF DECISION

APPLICATION RECEIVED: February 25, 2015

APPLICATION COMPLETE: February 25, 2015

ACTION DATE: March 6, 2015

CASE NO: UP-84-008M

OWNER: Alden Crossing Homeowners' Association

ADDRESS: c/o The Manor Association Attn: Eileen Greathouse, 353 Main Street, Redwood City, CA 94063

APPLICATION FOR: Amendment to Air Conditioning Unit Prototype to Remove Provision Requiring Architectural Review

LOCATION: Alden Crossing Planned Development

ZONING: R-1/PD

CEQA DETERMINATION: Categorically exempt pursuant to CEQA Guidelines Section 15301 Existing Facilities

ACTION TAKEN: Approved with Conditions

On the date listed above, the Community Development Director of the City of Foster City took the action described above on the subject Architectural Review application based on the following findings:

1. The proposal to eliminate the provision requiring Architectural Review prior to issuing a building permit for the air conditioning prototype established for the Alden Crossing Homeowners Association, as conditioned in Exhibit A, would be consistent with the Foster City General Plan, Chapter 17.58 (Architectural Control and Supervision) of Title 17 (Zoning), and Chapter 2.28 (Planning) of Title 2 (Administration and Personnel) of the Foster City Municipal Code, because accessory structures, such as air conditioning units, lower than the fence line are exempt from architectural review pursuant to Section 17.58.020 B.9 Improvements Exempt from Architectural Review.
2. 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 prior to issuance of the building permit for the air conditioning unit, neighbor notification will be required to all adjacent property owners. Additionally, all air conditioning units

are subject to the City's noise requirements in Section 17.68.030, Noise, of Chapter 17.68, General Performance Standards of the Foster City Municipal Code.

This action is subject to any conditions contained in Exhibit A, attached.

Expiration

Any Architectural Review approval shall, without further action, become null and void if not used within two (2) years from the date of approval thereof, or within any shorter or longer period of time if so approved by the Community Development Director.

Appeal

Pursuant to Section 17.06.150 of the Foster City Municipal Code, an action of the Community Development Director on an application may be appealed within ten (10) calendar days after the date of the Community Development Director's decision, in writing, to the Planning Commission. Appeals may be filed using the appeal form available in the Community Development Department or by letter. There is a fee for filing an appeal. All appeals must be filed in accordance with Section 17.06.150.

Acknowledgment by Applicant

Pursuant to Section 17.58.040.E of the Foster City Municipal Code, any Architectural Review decision shall not be effective until the permittee acknowledges acceptance of any conditions of approval and any appeal period has lapsed, or if there is an appeal, until a final decision has been made on the appeal.

In order to demonstrate that you are aware of and understand the Architectural Review conditions of approval (attached hereto as Exhibit A), please sign the original of this letter and return it to the Planning/Code Enforcement Division. Please keep the duplicate for your records. *Please be advised that a Building Permit **will not** be issued until the Planning/Code Enforcement Division has received the signed Notice of Decision.*

Sincerely,

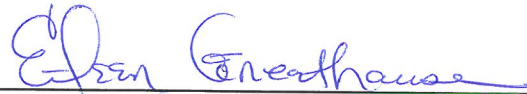


Pw Curtis Banks  
Community Development Director

Planners Initials: kak



(Owner's Name) (Please Print)



(Owner's Signature)

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## EXHIBIT A

**ALDEN CROSSING HOMEOWNERS' ASSOCIATION**  
Prototypical Design Guidelines for Air Conditioning UnitsPLANNING/  
CODE ENFORCEMENT

The following guidelines shall govern the installation and/or replacement of Air Conditioning Units in the Alden Crossing Planned Development:

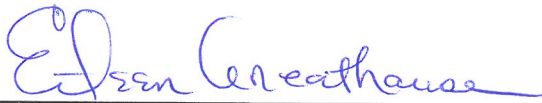
**CONDITIONS OF APPROVAL**

1. All construction shall be located, designed, constructed, installed and maintained in a professional manner and appearance.
2. 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.
3. All vents, gutters, downspouts, flashings, etc. shall be painted to match the color of the 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.
4. Prior to any final inspection approval, these conditions and all improvements shall be completed in accordance with the approved plans and to the satisfaction of the City.
5. **Air conditioning/condensing unit(s) shall be located and installed and placed as follows:**
  - a. **The units shall have a low profile/low height design and shall be ground mounted/installed on a raised concrete pad in the rear yard, behind a fence, lattice screen, and/or landscaping approved by the City such that it is not visible from any street/public rights-of-way or common areas within the Alden Crossing Planned Development.**
  - b. **Units may only be allowed in the side yards of the minimum 5' setback form the side property line can be maintained, subject to review and approval by the City. The applicant shall notify the neighboring property owner(s) of the proposal and shall provide an Architectural Review Notification Report to the City upon submittal of the Building Permit application.**
  - c. **The fence or lattice screening shall completely screen the air conditioning/condensing unit and all of its appurtenances, to the satisfaction of the City, and no portion of the unit shall extend above or beyond the fence or lattice screen.**
  - d. **Conduits, junction boxes, or similar items shall be located to the minimally visible, either underground, along the foundation, under eaves, along rain gutters, etc. and painted to match the color of the adjacent surface, to the satisfaction of the City.**
6. **Air conditioning and condensing unit(s) shall at all times meet the requirements pertaining to noise as provided in Chapter 17.68, General Performance Standards, of Title 17, Zoning of the Foster City Municipal Code.**

**Bold Indicates Site Specific Condition**

**APPROVAL PROCESS**

1. The homeowner/applicant shall obtain an approval letter from the Alden Crossing Homeowners' Association for the proposed air conditioning unit. The letter shall indicate that the proposed changes conform to the established criteria of the prototype.
2. The homeowner or contractor shall apply for a Building Permit from the Building Inspection Division and shall submit any required drawings and fees, including the following:
  - The letter from the Alden Crossing Homeowner's Association (HOA), indicating their action on the proposal.
  - An Architectural Review Notification Report and Forms indicating that the neighboring property owner(s) has been notified of the application.
  - Manufacturer's brochure indicating the type of air conditioning unit that is to be used, including information on the decibel level (noise specifications), size and height of the unit.
  - 3 copies of the site plan showing the following:
    - The location of the air conditioning unit
    - The setback/distance from the unit to a side and rear property line
    - Any required piping or conduit and how it will be screened/painted
    - Proposed screening with fencing (indicating height of fencing) and/or landscaping
3. The Planning/Code Enforcement Division staff will review the Building Permit application to confirm that the proposal is consistent with the prototypical design approved for air conditioning unit(s).

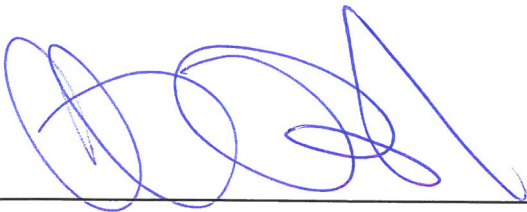


Eileen Greathouse

Alden Crossing Homeowners Association



Date



Curtis Banks, Community Development Director

City of Foster City



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